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Official Report of Debates (Hansard)

Thursday 26 April 2001

Journal des débats (Hansard)

Jeudi 26 avril 2001

**Standing committee on
finance and economic affairs**

Pre-budget consultations

**Comité permanent des finances
et des affaires économiques**

Consultations prébudgétaires



Chair: Marcel Beaubien
Clerk: Susan Sourial

Président : Marcel Beaubien
Greffière : Susan Sourial

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LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

STANDING COMMITTEE ON
FINANCE AND ECONOMIC AFFAIRSCOMITÉ PERMANENT DES FINANCES
ET DES AFFAIRES ÉCONOMIQUES

Thursday 26 April 2001

Jeudi 26 avril 2001

The committee met at 1003 in room 151.

SUBCOMMITTEE MEMBERSHIP

The Vice-Chair (Mr Doug Galt): We'll call the standing committee on finance and economic affairs to order.

Mr Monte Kwinter (York Centre): Mr Chairman, on a point of order: I raised this question before the meeting convened. In the many years I've sat on this committee, when the committee is meeting to consider its report, it has always been done in camera. Given that we are in the Amethyst Room, which has television, and I understand the plan is to have this televised, I feel this is something that we, as a committee, should resolve before we start.

The Vice-Chair: OK. The first item of business is the election of a subcommittee person, since there has been a shift in those participants on the government side, so maybe we can move through that item. Your point's well taken; I certainly won't jump over it. It's up to the committee whether they want to discuss this in camera or in public. Can we have a motion to elect a person to the subcommittee from the government side?

Mr Joseph Spina (Brampton Centre): I move that Mr Hardeman be appointed as the representative of the government side to the subcommittee.

The Vice-Chair: Thank you very much. Any further nominations? Hearing no further nominations, I declare the nominations closed. Mr Hardeman will be the representative from the government side on the subcommittee for the standing committee on finance and economic affairs. We will congratulate him on his arrival.

PRE-BUDGET CONSULTATIONS

The Vice-Chair: The next item of business is the subcommittee report. I turn to Mr Phillips and also Mr Kwinter, however you would like to handle this discussion. I believe it's Mr Phillips's motion.

Mr Gerry Phillips (Scarborough-Agincourt): Yes, it is my motion. I move that the committee meet to consider its draft report on pre-budget consultations on Thursday, April 26, 2001.

The Vice-Chair: And we're here. Is there anything else to the report, other than to meet to discuss it?

Mr Phillips: I don't think so. I'm just moving our subcommittee report.

The Vice-Chair: OK, thank you. Debate?

Mr Spina: I have a question, if I may. I wasn't sure whether this is for debate on the report or the adoption of the report, to be submitted to the House. I'm just trying to get a clarification here of what you're looking for.

Mr Phillips: No, it's just to give the committee the authority to begin the debate on the report, as opposed to adopting the committee report. You are not agreeing to the report. If you vote with this motion, you're agreeing to begin debate on the report, to finalize it.

Mr Spina: OK. Another question, if I may: given the publication of the date of the budget on May 9, what kind of time frame are we looking at? I think you would agree that time is of the essence. If we're going to adopt a report to submit to the House for consideration by the finance minister, we should try to give it to them as soon as possible so whatever is in there can be considered for inclusion in the budget. I just wanted some idea of a time frame, if Mr Phillips had any thoughts on that area.

Mr Phillips: My hope would be that we finish today; if not, certainly by next week's meeting so we can have it to the House by next Thursday.

Mr Spina: OK. The other question I have, Chair, is that, being newly appointed to this committee, I haven't seen a copy of the draft. Have other members of the committee seen the draft report?

The Vice-Chair: It was certainly circulated to the previous members of the committee.

Mr Spina: Oh, it's right here. The clerk was nice enough to tell me. Thank you, Susan.

The Vice-Chair: As I understand, this motion is so we can proceed to discussing the report as written by staff. It's not necessarily to get into the debate. If we're to discuss it in camera, we can take that motion after this one has been passed or defeated.

Further debate on whether we discuss this report, or how you would like it handled? No further debate? Those in favour of the motion? Those opposed? The motion is carried unanimously.

Now we move into discussion of the report. Mr Kwinter, do you want to comment now about in camera or in public?

Mr Kwinter: Mr Chairman, I'm in your hands. My only concern is that the document I have in front of me says "Confidential: for committee use only." If that is not

the case, I have no problem. I'm just saying there should be a determination. Is this supposed to be confidential or not? My copy of the document, and I assume everyone's, says "Confidential: for committee use only." I just want a resolution of what that means.

Mr Ernie Hardeman (Oxford): I have no objection to doing it in camera. I suppose it's opposite to what you would expect. I have no problem with doing it in public either, but I do have some concern, as Mr Kwinter mentioned, that it says, "Confidential: for committee use only." The debate may very well be debating whether the report actually actively interprets what was heard at the committee. I would not object to going in camera.

The Vice-Chair: This may be helpful for the debate, if I may, as the Chair, make a comment: item 5, under "Chair's Notes" on report writing for the committee says, and I quote, "Before a committee begins to write its report, it should decide whether it will write the report in public or in closed session. If a committee meets in public to consider and adopt a report, the report itself is considered confidential until tabled. It may be considered a breach of the privileges of the House to release or disclose the contents of the report before it is tabled in the House." To my way of thinking, that's pretty clear.

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Mr Phillips: I'm not sure whether it is clear. My own view is that wherever we can do business in public, we should do it. We should only move into private where there's a person involved, where someone's reputation's at stake or where someone could benefit financially from our deliberations. In all other cases, I think we should be in public. If I'm not mistaken, that has been the case with this committee in the past few years, that we have dealt with this report in public. I personally prefer that we deal with it in public. If there's a part we come to that says someone is going to be impacted because of what we say here, someone can certainly move that into private and we can deal with it, but just as a matter of principle, I prefer to deal with whatever we possibly can in public. What you read there I thought allowed us to deal with it in public.

The Vice-Chair: It says, "It may be considered a breach of the privileges of the House to release or disclose the contents of the report before it is tabled in the House." It says "it may be"; it doesn't say "It will be." Any other comments?

Mr Spina: I would ask for the clerk's or counsel's opinion, under what circumstances it would be considered a breach, because we certainly wouldn't want to do that. I agree with Mr Phillips. Most of this stuff, these are all people who came to the committee hearings, right? All this information is just the summary of the submissions made to the committee, which are in Hansard in a very public way anyway. Unless, as Mr Phillips correctly identified, there is a situation where there's an individual's name or someone might financially benefit from this—but these are submissions; these are not recommendations. That's why I would ask advice from

the clerk and counsel. Under what circumstances would it be considered a breach before it's tabled in the House?

The Vice-Chair: Fair question. If you would just hold on for a second. I'm told I'm the one to give advice, and we're looking it up.

Any other comments while we look for information for Mr Spina?

Mr Hardeman: Just to make sure that you have enough questions to mull over, I share the comments of Mr Phillips that we need to do as much as we can in public, but at the same time I think we have to recognize that the purpose of writing the report and to present it to the Legislature is to inform our colleagues in the Legislature of what we have heard. If you table something in the Legislature, it would seem to me that our colleagues in the Legislature are the first who should hear that; it should not be released from here to the public and then tabled at some date in the future in the Legislature.

Again, as Mr Spina mentioned, if we're talking about just what the committee heard in their public consultations, and that is the total extent—not interpreting what we heard, but just that what is in the report is the staff's recollection of what was heard or the putting together of what was heard—I see no reason why that couldn't be discussed in public, for it is already in Hansard. But if there's anything more going to be done with the report that would be new that would not already be in Hansard, then I think that should be done in camera.

The Vice-Chair: Basically, this is what I am picking up from discussions here in consultation and looking up in procedures. Yes, it's in Hansard. Yes, it's something we can discuss. If we do come to something that might be sensitive to a corporation or to an individual, it would be wise to move in camera at that time, but otherwise this discussion on the report writing can be in public with no problem.

I don't think we need a motion. We'd only need a motion to move in camera, so I think we can go ahead now with the discussion on the report, unless somebody has something else they'd like to comment on prior to going into that discussion. I trust, Mr Kwinter, you're comfortable with that.

Mr Kwinter: I just wanted it clarified, because the document said it's confidential.

The Vice-Chair: Yes, I really empathize with where you were coming from, but also I empathize with the point of being as public as we possibly can all the time.

Mr Phillips, you're submitting the report. Would you like to lead off with comments?

Mr Phillips: At the top of page 2, just to start, there's a comment on the second line, "the principal engine of growth"—which I agree with, by the way. It wasn't the only engine of growth, but the principal one. I just highlight that because there were some other views that it wasn't the principal engine of growth.

Mr Hardeman: Mr Chairman, I missed the first part of where we were.

The Vice-Chair: It's page 2, line 2.

Mr Phillips: I'm commenting, really. That was the comment on exports being the principal engine of growth, which I agree with. It's not the only engine of growth, but the principal engine of growth.

On the job front, the challenge in this report always is that we are reporting on what was presented to us. There's not an opportunity to update the report, the numbers. But we now have March numbers in, and we've lost, if I'm not mistaken, 46,000 manufacturing jobs since January 1. We can't put that in, because no presenter made that presentation—this is summarizing it—but that is of concern, certainly, to all of us.

I'm just going through my comments. I don't know whether anybody else wants to speak.

The debt now is at \$112 billion, down from \$114 billion, but up, I gather, from the previous few years.

I thought the comment on school boards accumulating debt—I'm now on page 3, the second paragraph from the bottom, the bottom two lines in that paragraph—is an important one for us, because if I'm not mistaken, school boards are adding capital debt at the rate of \$900 million a year. Because the school boards now rely 100% on provincial funding, that really is going to be our debt, provincial debt. So I think that was a good comment to make or a good comment for all of us to be aware of.

I gather on the bond rating situation that we've had one upgrade, but we're still two below where we were previously. There's no need to point that out, I guess, in the text.

On the personal income tax side—this is on page 4 now—I believe I asked for the staff to give us an update on where we stood on the tax cut. The government said, "We are going to cut personal income taxes by 20%," and the government has said, "We're going to complete that cut in this upcoming budget." I think I asked the staff, "All right, we are somewhere along the line in that 20% cut. You're going to complete the 20% cut. How much has already been done and how much is there still to do?" It's a fairly straightforward question, I think. I'm just waiting. Have we got an answer back from the ministry staff on that?

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Mr John O'Toole (Durham): If I may, I just want to clarify that the government has a commitment to a 20% tax reduction. To be clear, it's an additional 20% to the provincial tax rate. I want to be clear that we delivered on the first promise from 1995 to 1999, so that 20% is reflected in the current rate. As people are now doing their income tax, they will see that. When you separate the provincial and federal tax, you can see very clearly what the province has given back to the taxpayer. I think it would be fair to assume, with proper fiscal tools, that the provincial government has, in its purview over its mandate, a commitment to a further 20%. Now, what that number is today is, as Mr Phillips would know, part of the policy of the government of having a balanced fiscal plan going forward. There is a certain part of that that's been delivered, and I, like you, anticipate the full com-

mitment or the promise over the mandate of this government.

Mr Phillips: You may not be aware that you've already made—it says here, "implementing a further 20% personal income tax cut to be fully delivered in the 2001 budget." This is the document that the Minister of Finance released just a few weeks ago. So this budget will fully implement the remainder of the 20% cut.

I have a very simple question that I think Ontarians deserve an answer to. You've already implemented a part of it. You are going to complete it in this budget—not in your mandate, but in this budget in two weeks, two weeks yesterday. I just simply want to know how much of the 20% cut has been implemented already and, therefore, how much more is there to go? It's a very straightforward question. Surely anybody would believe that the government should just simply say, "Listen, in the last two budgets we implemented 10% of it; we've got 10% to go." "We implemented 8%; we've got 12%." "We implemented 12%; we've got 8%." Whatever it is, I just want to know the answer to that. Mr O'Toole has not been told, I guess, that you've committed to doing it, not in your mandate, but in this budget.

The Vice-Chair: I wonder if Mr Hardeman, as the newly elected representative to the subcommittee, is aware that that request went in and also a follow-up letter was sent from the clerk's office asking for that answer. Do you know where that may be at, or not?

Mr Hardeman: No, Mr Chairman, I do not, but I will make every effort to make sure that we get that information for Mr Phillips. He did mention, I believe, yesterday afternoon to me that he had not yet received some of this information that he asked for during the presentations.

I would point out in particular that, as Mr Phillips mentioned, the government is committed to finishing that 20% cut, which, as Mr O'Toole said, we are going to do. We had originally promised it in this mandate. We will be doing it, according to the presentation, in the next budget. So as thorough as he is at reading the previous budgets, whatever isn't in those budgets will be in the next one. The people of Ontario will find out on May 9, when the budget comes out, how much more they will get this year, compared to what they've had in the past. But we will get that information for Mr Phillips.

Mr Phillips: I would think that it would be on the tip of people's tongues, OK? "We've already delivered X% of it." Can anybody in the Conservative caucus tell us where we are on it?

Mr O'Toole: All I can say to taxpayers is that certainly we are anticipating to deliver on our promise. I would only hope that on May 9, the people of Ontario will be looking forward to it as well. I would offer up that we usually keep our promises.

Mr Phillips: Usually?

Mr O'Toole: I would say "always," but no one likes to be that definitive.

Mr Christopherson: When did that start?

Mr O'Toole: I'm not the minister.

Mr Phillips: I've been amazed that I can't get an answer on what seems to be a pretty straightforward question.

The Vice-Chair: You have a new point person on the subcommittee who's going to look after it for you tout de suite with his report.

Mr Phillips: I think the last one got promoted to cabinet without giving me the answer.

The second thing we asked the minister to do was to give us the forecasts of their revenue on a variety of economic assumptions. The minister, in public comment, said that they've done these analyses within the ministry, and they've looked at various different economic assumptions, and we asked him just to provide us with those projections. You may recall that the government said the economy's going to grow at 3.1% and then a few days later it was 2.8. I gather they may now be saying it's something less. We requested that. I sent a letter to the minister, and I think the committee did as well. Have we heard back from the minister? Have we got those numbers yet?

The Vice-Chair: The answer's negative.

Mr Phillips: I wonder if Mr Hardeman might ask for the same thing.

The Vice-Chair: Are you aware of that request, Mr Hardeman?

Mr Hardeman: Again, I wasn't aware of the request, and I apologize for not having been a member of the committee prior to today and not having been there when those questions were asked.

Having said that, though, I think it goes back to where we started from earlier this morning about deciding what the committee was going to be trying to accomplish as we're sitting here. My impression was that we were going to complete a report that tells our colleagues in the Legislature and the Minister of Finance what the committee heard over their period of consultations. I do believe that the questions that Mr Phillips asked—he has the right to get those answers, and we will endeavour to do so. But I don't think that information is required to complete a report that highlights what the committee heard in their consultations to advise our minister on. So though we will get it for him, I would propose that we continue reviewing the report and make sure that what is written there is accurate, according to what the committee heard in the process.

Mr Phillips: I can remember sitting in this chair, and what I heard from the minister, while the minister sat there and the minister's staff sat there, was that they were going to get us these answers. So I heard that. I thought that would be part of our report. It seems the public deserved those answers. This report should reflect what the committee heard, and the committee spent some considerable time listening to the ministry staff. I'm trying to get the report to reflect what the ministry staff said and promised. The minister and they were part and parcel of this presentation. This reflects not just outside presenters but presenters from the government. That's why I think it's important we get that.

Mr O'Toole: I did sit in on the pre-budget hearings, and I think we did receive a lot of very balanced input and, indeed, some extremely good questions, of which Mr Phillips refers to just one, which is the revenue picture. As he would know, the revenue side is basically premised on a revenue forecast with respect to other implications on GDP and its number and its certainty of that number. There is a direct relationship. As he knows, 1% equals some \$500 million to \$800 million in revenues, so that number has been talked about as well: is it \$500 million? Is it \$535 million?

What they fail to record here in the record is that the minister made no subsequent commitment to deliver on forecast revenue numbers. I suspect those numbers will be part of the budget, and those will be the one-year look ahead. I think Mr Phillips is looking for a longer number. Indeed, I think Mr Drummond, from the TD Bank, did make the assertion that we should look further ahead, and I think the minister said that we should look further ahead in terms of the current revenue side. Of course, I think that's an important planning tool that the Ministry of Finance has used over the years. In the past they have not done revenue forecasts beyond current-year revenue. There are numbers out there. You tie the GDP number to the growth projections, and those will be in the budget.

1030

Mr Phillips: The minister in public statements said they've done various analyses and that if the economy slows down substantially, it's not a problem because they've done the analysis and Ontario shouldn't worry about it. I'm just simply saying they've done the analysis. Wouldn't you think it would be wise for us, trying to provide the Legislature with some advice, to take a look at that? If we want to operate on the least possible information from the minister, so be it. I think that they've done it; the taxpayers paid to have it done; he said it's available. Just simply, let's take a look at it.

The Vice-Chair: No further discussion?

Mr David Christopherson (Hamilton West): On this, or anything?

The Vice-Chair: I guess we've run out of discussion on this one. We'll move on to another point.

Mr Christopherson: On page 9 under "Automobile Industry," the second sentence—it's in the third line: "Production is expected to decline in the first two quarters of this year." I would just make the note that they did say for at least the next two quarters. If you recall, things were a lot rosier at the beginning of our hearings than they were at the end because shortly after we started, Nortel announced their earnings drop, all hell broke loose, and the government's message changed along with the news that was coming forward over the course of those two weeks. So I would suggest that we did hear from people that they hoped it would only be the first two quarters, but they really didn't know. And as we're seeing now, it's likely to be into the third, fourth—some are even talking into the next year. So I would make that suggestion.

Secondly, in the same paragraph, the last sentence, that starts on the third line: "The competitiveness of the Ontario industry, including higher productivity levels and unit costs that are lower than its American counterpart, will ensure that growth continues to be strong." That's a little too definitive for me. To just blatantly say it will ensure that growth continues to be strong is really not 100% accurate, because it isn't turning out that way. There should be a modifier in there, because no one did come in and guarantee us. Some of them were optimistic about suggesting this, but for us to make that statement, to me, flies in the face of the evidence of the numbers and analysis that has been coming forward over the last six to eight weeks.

The Vice-Chair: Do you have an alternative suggestion like "should" instead of "will"?

Mr Hardeman: I would agree with Mr Christopherson on the first comment about the first two quarters, that it's not a given, and it is now a given that it won't be, so it would be at least the first two quarters. The second one, I suppose I would have to ask again whether the Hansard and the presentation said this and we now disagree with it, or they have been proven wrong, or whether it was wrong to start with.

Mr Christopherson: Even if the sentence had said that "some presenters said," my difficulty is I looked for that qualifier. I don't see it, and so we're just left with that blatant statement as if it were a finding of fact by this committee, which of course is not the case.

Mr Kwinter: I've been listening to the discussion. I have a couple of concerns. The economic and finance committee is charged with making a report to the House on their pre-budget consultations. I don't think their mandate is to limit that just to what was presented. If that were the case, then we wouldn't need a committee. All we would do is say, "Send in your representations, and we'll have the clerk collate them," and say, "Here's what people told us."

I think what we have to do is listen to what people say. There will be people who will be speaking diametrically opposed to each other, as we had with people with the alternative budget. When you hear labour, they have one point of view. You hear management, they have another. You hear the financial institutions, they have another. You hear the economists, they have another. What we have to do is try, from all of that, to come up with a report that uses that information. But certainly, if it's going to be of any value, there's no sense just doing historically what people said to us two months ago. We're trying to give advice to the Treasurer, the Minister of Finance, as to what should be in the budget, and whatever information is relevant, should be included. One of the things that we have to do—and this is what happens traditionally. This committee will come forward and say, "Well, here's what we think." And then, of course, the two opposition parties say, "We don't agree, so we're going to put in a minority report, and here's what we think."

I think it's important that we not restrict ourselves just to what was presented to us by presenters, because it gives you a lot of useful information, but it doesn't give you the ultimate information.

Mr O'Toole: Just on technical—as the time goes on. There's one particular section on page 6 under "Property Taxes" that I really think is a potential reference error. Hopefully there's no concern with it. It's about the fifth line down.

Mr Christopherson: On a point of order, Chair: Could I just maybe suggest, before we move into new ground, that we finish this off and then gladly move to Mr O'Toole's issue?

Mr O'Toole: Sure, no problem. I thought we were finished.

The Vice-Chair: I was about to mention that, but thank you. I think that's a good idea. Under "Automobile Industry," page 9, is there any agreement here or—

Mr Christopherson: I think Mr Hardeman, on behalf of the government members, was offering up his comfort with "for at least," so I would start with a motion to amend. On page 9 under "Automobile Industry," third line, the sentence is, "Production is expected to decline for at least the first two quarters," and remove the word "in." And then, Ernie, I didn't hear exactly where you were on the last piece.

Mr Hardeman: Did you just say that you were going to take out the word "in"?

The Vice-Chair: No, I think it was to put "at least" in between "in" and "the" would make it sound better.

Mr Christopherson: "Production is expected to decline"—oh, I see. I was saying, "Production is expected to decline for at least the first two quarters of the year."

The Vice-Chair: Changing "in" to "for."

Mr Hardeman: I would suggest that I would leave in the word "in."

Mr Christopherson: OK, but how do you want to broaden it out?

Mr Hardeman: "Decline in at least the first two quarters"? That works for me.

Mr Christopherson: "In"? "For"? I don't know that the grammatical aspect holds up, but I can live with the politics of it.

Mr O'Toole: I think it makes the point.

The Vice-Chair: Yes, one way or the other, whether the English is perfect or not.

Mr Christopherson: It gets the point across.

Mr David Rampersad: Do we leave "in," or do we delete it?

The Vice-Chair: Right now my understanding is we stick "at least" in between "in" and "the."

Mr Rampersad: So we retain the word "in."

The Vice-Chair: We leave "in" in.

Mr Christopherson: This is the same process where we've got one hour of committee work and you give us 50 pages of amendments. And here we are—just to make that point, Mr Chair—debating the word "in." Next we'll be debating "so."

The Vice-Chair: The rest of "Automobile Industry," page 9.

Mr Christopherson: Correct. So is that agreed then, that change?

The Vice-Chair: Yes. That's agreed.

Mr Christopherson: Then we're left with the qualifier I was seeking for the last sentence in that same paragraph that begins: "The competitiveness of the Ontario industry...." This starts to speak to where Mr Kwinter was, but it doesn't say "presenter said" or "some views held," it just makes that as a statement.

The Vice-Chair: This is a summary. As the Chair, could I suggest you might consider replacing "will" with "should"? Would that be a comfortable word all around?

Mr Christopherson: I don't want to be a stickler here, but because there's nothing else in that paragraph that makes any reference to witnesses, if there could be something just to further qualify. But your suggestion of changing "will" for "should" is fine.

The Vice-Chair: I'm just trying to be a conciliator here.

Mr Spina: I guess the context of this statement constitutes a recommendation on the part of the committee, so it really boils down to whether or not we agree with the statement as it stands: "The competitiveness of the Ontario industry, including higher productivity levels and unit costs that are lower than its American counterpart, will ensure that growth continues to be strong." If we agree with that statement, then it can stand. I just want to understand: David, are you saying you don't agree with that statement and therefore the context would be that this was what presenters told us?

Mr Christopherson: I appreciate your thoughts, but this is definitive in that it says "will ensure," and we already know that that's not the case. Competitiveness is a key component of all this, no question, and certainly the wage differential that's saved by virtue of our public health system is a major competitiveness issue. But to state "will ensure that growth continues to be strong"—it has already proven to be untrue because of the weakening of the economy.

1040

The Vice-Chair: Just as a thought for this sentence, for consideration only. It's been offered. It was suggested, "The competitiveness of the Ontario industry ... should ensure...." Would everybody be comfortable with that?

Mr Christopherson: It answers my concern.

Mr Morley Kells (Etobicoke-Lakeshore): "Some presenters suggested."

Mr Christopherson: I think that needs to be mentioned in at least each paragraph where we have strong statements, some reference.

The Vice-Chair: "It was suggested by the presenter." Is that your comment, Mr Kells?

Mr Kells: My point was "some." I don't know which ones did.

Mr Christopherson: I can live with that.

Mr Kells: Put that in front and you don't have to change the wording.

The Vice-Chair: And then "should ensure."

Mr Hardeman: If it's going to be the presenters, it works.

The Vice-Chair: We don't need to change that.

Mr Christopherson: Correct.

The Vice-Chair: So it was suggested by "a" or "some" presenters?

Mr Kells: I wasn't here. Do you remember, David?

Interjection: I'm sure there was more than one.

Mr Christopherson: Go for it.

The Vice-Chair: It was suggested by "some" then?

Mr Christopherson: Yes.

Mr Kells: When you say "presenters," you mean them all, so you better say "some" there.

Mr Christopherson: Given they were proven wrong, I'm not sure they're going to jumping up and down saying, "I said it."

The Vice-Chair: OK. Can we move back to page 6 as was requested? I guess we can, can't we?

Mr Hardeman: Going back to page 6, in the property tax issue in the fifth line where it says, "property tax rate," I think that should not be the "property tax rate" but the "property tax bill." The different issues are the percentages of the property tax, but then at the end a "component of the property tax bill" that goes out to the individual property taxpayer.

Mr Christopherson: On that, "Many witnesses, especially from the business sector, expressed concern about commercial property tax rates which are three times higher than residential rates...." You're talking about changing the word "rates" in both of those contexts or just the one?

Mr Hardeman: No, just in the one.

Mr Christopherson: Why?

Mr Hardeman: The paragraph speaks about the significance of the property tax rates, the varying rates, but then the end result is that it has a significant impact on the property tax bill that goes out.

Mr Christopherson: Oh, I see. It's the second sentence where you want to change the word "rate."

Mr Hardeman: Yes.

Mr Christopherson: I'm sorry. OK. If I have it correct then, "It was pointed out that the education tax, at approximately 50%, forms a significant component of the property tax bill."

Mr Hardeman: Yes.

Mr Christopherson: Got you.

Mr Hardeman: Because if it's 50% of the tax rate, it's automatically 50% of the tax rate.

Mr Christopherson: Right. I thought you were changing the other one, in which case we would have gone from apples and apples to apples and oranges. No, I'm fine with that.

The Vice-Chair: Other areas of consideration?

Mr Phillips: I thought there was also the concern about the dramatically different education business tax rates by municipalities. Brockville businesses, for exam-

ple, are paying four times the tax rate that a similar business in Parry Sound is paying. I thought that was raised as well, but maybe my memory's fading. There was another issue, which is that the province sets the business education tax rates. There's talk about equality of educational opportunity across the province, but with identical businesses in Parry Sound and Brockville, the Brockville business is paying four times as much education tax as the Parry Sound business is.

Mr Hardeman: Again, Mr Chairman, I'm not speaking to what all the presenters spoke to, but I think it's important to recognize that we have in previous budgets, and hopefully we'll continue to do that, lowered the business tax rates across the province to get to a fair and equitable taxation system for all the businesses.

I don't know if Mr Phillips is suggesting that more work needs to be done to point out what some of the presenters actually said, but I think the end result of what he's speaking to is, the province is presently in the process of trying to get that fairer tax rate across the province and lower the business tax rate to make us more competitive and to create a stronger economy and new jobs in the province.

Mr Phillips: That's always the problem of trying to get everything in, and if I try and insert that, then somebody else will try and insert something. But I think it was CFIB, the Canadian Federation of Independent Business, that presented us with the property tax issue. Those who were here would remember that they presented a chart showing that education taxes are dramatically different municipality to municipality. I think they used several examples, but they had a Parry Sound and a Brockville example. As I say, that was part of a presentation, but it's not part of our report right now. If everybody starts to insert everything they want in it, we may—

The Vice-Chair: We can always put it in the addendum from your party, if you so prefer.

Mr Phillips: My hope is we have a unanimous report.

Mr Christopherson: I just wanted to add to the concern that Mr Phillips has raised, and I appreciate the comment that we could be adding things all along. But for some communities—I know in Hamilton the business education tax is huge and it was referenced. It's more important than most issues, given the fact that it's sort of a moving target, the whole process is in a phase-in. It was accelerated in the last budget from what your original plan was, which is fine. It didn't go far enough, but it was going in the right direction. It seems to me, that being such a hot issue, it really ought to be part of the report to reflect the importance it was given.

Some members who don't have this as a huge issue in their community may not have paid as much attention. But again, in Hamilton I know we're being strangled downtown, small business, because of the business education tax and the fact that we're paying so much higher than neighbouring municipalities. It's the policy of the current government to maintain that inequity for a number of years.

I think there is certainly a great deal of legitimacy in saying this is a big enough issue that it needs to at least be reflected as having been raised, otherwise we do a whole lot of municipalities a major disservice in not speaking to their major issue as it relates to property taxes.

The Vice-Chair: Since it's been brought up two or three times, as Chair I would entertain a statement that might be put in and then we could vote on it, or maybe we could ask staff to draft it while we continue discussing. Would that be in order? Everybody comfortable with trying to draft something from the discussion to this point?

Mr Spina: I had a question and a comment. First of all, I'm just trying to zero in on where Mr Christopherson is exactly. Is it under the property tax, David?

Mr Christopherson: I was actually following up on the discussion started by Gerry.

Mr Spina: This is under the property tax issue. I was looking at the last sentence in the second paragraph of that property tax section, that reads, "A maximum tax rate on business property throughout the province would also help level the playing field for business." I thought that statement, as clearly as it's been made, would at least address your concern, David, with regard to—

Mr Christopherson: The difficulty is that the business education tax forms a part of the total business tax paid and it's a variable, depending on which community you're looking at. Again, downtown Hamilton is one of the hardest hit. It's a subcomponent of that. Anyway, the short answer is, I don't think that quite covers off the specificity of what we're talking about.

The Vice-Chair: From what the Chair is hearing, the difference is the overall tax bill versus the business education tax portion of that bill.

Mr Christopherson: Correct.

Mr Hardeman: I would agree. I think there's a need for government to work at reducing the total education burden on our industrial sector. The present rate has been reduced, but it was based on the inequities that different areas of the province were charging prior to the changes that our government made as they were increasing the ratio between the industrial and the residential. They had a larger spread there before the changes. Then when we changed to the new taxing system, some of that spread is still there in some areas and I think we need to work toward reducing that.

The Vice-Chair: Just to kind of round out this debate, it might be helpful—staff would like to review some of the material at that time and then come forward with a statement or two. Would that be in order with the committee, rather than spending a lot of time debating it now, and we would re-look at it at 3:30?

1050

Mr Kwinter: I think there are two issues. One is the overall, arching policy of reducing business tax. The other one, and I think this is the point that Mr Phillips has made—that's one issue, but the major issue that was brought to us by CFIB is the discrepancy. The city of

Toronto's education portion of the business tax is considerably higher than the city of Vaughan's or Markham's, which is that businesses across the street from each other are paying totally different rates of tax. The issue is really this discrepancy, the difference between Parry Sound and Brockville and all of these other communities, and that is really what has to be addressed. Communities are being penalized because there's going to be a flight of business to more reasonable tax havens. I think that's the issue that has been mentioned.

Mr O'Toole: I think it's a very beneficial discussion, and how they summarize those remarks is yet to be seen.

I think what Mr Christopherson was saying really does make a lot of sense, that high taxes actually kill communities. So the general message is that we want to be competitive with not just "the city above Toronto," as we've heard on the news. It is about competitiveness. The government's goal is very clear: to reduce that burden.

Those historic inequities between, say, Toronto and Parry Sound and other municipalities, as Mr Kwinter has referred to, are exactly what we're committed to fix. Ideally, we would have a uniform rate, as we do on the residential side, for the commercial side. I think that's an enviable goal. I'm glad that we've got unanimous support that cutting taxes helps the economy.

Mr Spina: I was going to suggest that I don't think there's any disagreement—and please correct me if I'm wrong—on the issue that has come forward here; that is, it is the inequity of the education portion of the property tax that we want to address. So to that end, rather than redrafting the whole thing, I'm just making a suggestion here that's words—and there may be other people who want to comment on it—but where we talk about that sentence that I mentioned earlier, "A maximum tax rate on business property," if all you inserted perhaps was "with specific reference to the inequity in education tax" in that sentence, would that cover it, would that address it? That's really my question to the other members of the committee.

The Vice-Chair: What I heard from you is that you would put at the end "playing field for business, with specific reference to the inequity of the business education tax."

Mr Spina: No, it would probably be better inserted earlier on in the sentence where it says, "A maximum tax rate on business property, but specifically to the education portion of that tax rate, throughout the province would also help level the playing field for business."

Mr Christopherson: I appreciate the effort to resolve it, but I don't think that quite does. Just to respond to Mr O'Toole, because I've attempted to be co-operative this morning in terms of trying—

Mr O'Toole: I have.

Mr Christopherson: Then you made the statement you were so glad we were all thrilled with the tax—you know, your little verbal dance there.

There's a huge difference between wanting to make sure that municipalities are treated equally and fairly in terms of how their downtowns are taxed, especially when you go to Hamilton and see the dire straits that we're in as a result of that inequity, versus whether or not it's good fiscal policy to be cutting taxes at a time when we desperately need revenue being pumped into health care and education and environmental protection.

We all make those political speeches, but the fact is that on this one I would think we probably have some common agreement, except that we've maintained certainly in the NDP that you could have spent a lot of that money, the billions you've been spending on tax cuts, in going immediately to a level playing field vis-à-vis the business education tax, again because of the absolutely detrimental and horrific damage that it's doing to our downtowns. In downtown Hamilton we're still seeing business flee because of the business education tax. Just to fold it in there with respect to Mr Spina's suggestion really doesn't do it. It's a separate thought from the maximum rate. That really is a different issue. This again speaks specifically to whether or not this committee believes we heard enough emphasis on the business education tax to reflect something in the report.

The Vice-Chair: I think maybe the Chair is hearing that there is agreement on both sides. Perhaps we could give it to staff to do a little review—they've heard the discussion here—and come back at 3:30 with a statement. Otherwise I think we'll debate till noon on this item.

Mr Hardeman: I have no problem with that. I do want to disagree with the comment and put on the record that I don't believe, and the government doesn't believe, we could have used the tax cuts in any other way and still have had them. The tax cuts create jobs and a solid economy, so it is not there to be spent again. Having said that—that's the political part of it—I want to say that the government agrees there is a need to look at this disparity in the education tax rates across the province. That's not a disparity that has been created in the last little while; that's a disparity that's been there for some time. We have been trying to reduce that in the areas where the tax rate for education is far too high, to try and get that down to make it more competitive. So I would support the consensus here that the staff come back with wording that would cover all our concerns.

The Vice-Chair: Sometimes we have trouble agreeing to an agreement, don't we?

Mr Christopherson: We're just about there, but I would of course remind Mr Hardeman that the decision not to equalize was a political one made by this government, so to say it reflects some inequity doesn't wash, especially given the fact that after you introduced your first property tax reform bill, it took seven other pieces of legislation to correct the mistakes you'd made in rushing through the previous six pieces of legislation. Just saying that there were inequities in the past doesn't cover it off. You made a decision when you drew a line in the sand that you were going to allow the inequity to continue and

that you were going to direct your tax cuts in other areas. So we have, I think, a legitimate political difference, but we do agree on the action with regard to this report.

The Vice-Chair: So we have an area we agree on and an area to disagree on. Can we move on to another issue?

Mr Phillips: If we're all set, I'd like to go back to page 4, "Corporate Taxes," just to make sure the statement reflects what the minister said. The first sentence in the paragraph: "The minister pointed out that corporate income taxes had been reduced to ensure that the joint federal-provincial corporate income tax rate is lower than those prevailing in the Great Lakes states, the province's main competitors for investment." To the staff: is that what he said? Was that in the context of saying that as a matter of policy, we believe our corporate taxes should be lower here than in the neighbouring states? Maybe it's to the staff; I haven't reread the Hansard on that.

The Vice-Chair: Would you like to respond?

Mr Rampersad: That's what I recall, but I can check it just to confirm that this was indeed the case.

Mr Phillips: To go back to a point I made when the government was introducing legislation on this, this is a very fundamental issue. Do we want to compete on the basis of lower taxes? There's another alternative, which is to say, "Listen, we have competitive taxes in Ontario, but locate here because we've got a more skilled workforce, a better educated workforce, quality of health care," those sorts of things. If we're saying that the competitive edge in Ontario is best here because we've got lower corporate taxes, if that is a goal of the Ontario government—it's a moving goal too, by the way. That's a fairly easy one for someone to duplicate.

Mr Kwinter: I want to add to what my colleague said. I think that the wording, as opposed to making sure the income tax rate is "lower" than our neighbouring states, should be "competitive," because if you start working at being lower, then it's a race to the bottom. You start comparing yourself with some of the southern states and you're really in trouble. I think the main thing is that we can't be so out of whack with our corporate tax that it is a disincentive to invest. A fair representation of what I think the minister said is that we are to be competitive. It doesn't necessarily mean we have to be lower. We have to be competitive so that it doesn't become a factor in the decision.

1100

The Vice-Chair: This is a statement in reference to the minister, so we need to go back and double-check. Whether we agree or not with the minister is beside the point. We need to reflect accurately in this sentence what he said.

Mr Hardeman: That's my point. This is a statement that was made in the minister's presentation. If he used the word "lower," then I think the staff has an obligation to use the word "lower." When all is said and done, I at least have the assumption that "lower" and "competitive" in this day and age are one and the same thing. If we're not at least the same or lower, we are not competitive when you come to tax rates. You can use other attributes

too, but the past has shown that if we don't have a competitive tax rate that is the same or lower, then business will not invest here. That's why lower taxes have encouraged increased investment in Ontario. That's my view, but I think that as it relates to this paragraph, it should be printed as the minister said it.

Mr Kwinter: "Competitive" and "lower" are not synonymous. If someone is trying to make an investment decision and they take a look at the various tax levels and they're all the same, then they're competitive. You don't have to be lower. You don't have to say, "We're all the same, but we're going to go lower." What you do then is you put yourself into a financial bind because then there's always someone who will move the bar lower and lower. You have to be competitive and they're not necessarily synonymous.

Mr Christopherson: The opposing point has to be put on the record, and that is that one of the major competitive advantages for the key engine of our economy, which is the auto industry, is not related directly to comparable tax rates. The biggest competitive advantage we have is \$6 an hour to our American counterparts because we have a public health system that doesn't have to be included in the private wages or benefits package between the employer and the employee. It not only gives us the world-class health care system we're so proud of, but it's a major investment factor in the continuing flourishing of an automotive industry in Canada. That's the competitive issue and it's got nothing to do with rates. It's how we structure society and how we decide to provide an infrastructure for anyone who wants to invest here, and having a public health care system the way we do in Canada has been a distinct economic competitive advantage.

Mr Hardeman: This paragraph doesn't suggest that the lower tax rate is the only thing required to encourage investment, but it suggests, as I read it, that it is one of the requirements. I'm quite prepared to accept that it be written in the document as the minister said it.

The Vice-Chair: The agreement I hear from both sides is that whatever the minister said, we will correct if necessary, and this will be item 2 that will be reported back by staff at 3:30.

Mr Spina: I have a quick question on that. While I understand and appreciate what Mr Christopherson is saying, and he's right, was that mentioned by the presenters or is that something you're choosing to add?

Mr Christopherson: No, I recall Mr Stanford particularly talked about it and highlighted it in his presentation. He was one of the expert witnesses who came in and made an hour presentation, so it was clearly highlighted. I could be wrong, but I think it was even raised in discussion with some of the automotive suppliers and they weren't arguing the point.

Mr Spina: If that's part of the submission, then I don't have a problem with it being included. Generally we're just submitting this report as what has been submitted, because I'm not sure all of us are comfortable in developing a long series of recommendations. Specifically at this point, that is my understanding.

The Vice-Chair: Other items.

Mr O'Toole: Just in a general sense, if I may, Mr Chair, if we have time before lunch—I'm not filling that time, but making an important contribution.

Mr Christopherson: If it looks like a duck.

Mr O'Toole: In the context of the Ontario economy and in the context of the broader Canadian economy and the relationship—not just on our wonderful public health system as being a competitive advantage, which I think everyone agrees with—I'm appalled with the value of the Canadian dollar. What it really does in a fundamental way is undermine the standard of living that we, as Canadians—all of that work and effort that our industry group and our entire employment group contribute to an exported product or value, which is good in terms of jobs, but we don't get to enjoy the fruits of our labour. That's the value of a tax policy or a fiscal policy federally that has resulted in a dollar that's so dangerously low. It also masks the underlying problem of productivity itself, because if we use those advantages, our public health system, which we pay for in taxes, which could be why we have the highest taxes in the G7, it's really discounting and actually underwriting—subsidizing, if you will.

The other part is the value of the dollar, which I think masks the competitive nature of the very issue we're talking about, which is in trade, not just in autos but in technology and other things.

There are some federal responsibilities here that somehow have to find their way into this report that I think are serious fiscal challenges ahead for all Canadians.

The Vice-Chair: Further discussion? Would you like to move to a new topic, other issues in the report? We've moved from page 9 to page 6 to page 4. Maybe we can go in the other direction.

Hearing no further discussion—or am I hurrying things—we have two items to be reported back?

Mr Phillips: We have to deal with the recommendations now.

Mr Phillips: This is normally where each caucus submits its recommendations and we deal with the recommendations. We dealt with the report.

The Vice-Chair: OK. Do you have a list of recommendations from the Liberal caucus?

Mr Phillips: Yes. I assume the government does as well.

Mr Hardeman: From the start, I think we debated whether this should be in camera or whether it should be public. I made the point at that time that if we're talking about what is written here and saying it accurately reflects what the committee heard and they are forwarding those comments and recommendations to the Legislature and to the minister, then we should have an open debate on that. We should make sure we all understand what's in the report, and then when we have that completed, we forward that to the Legislature.

At this point, particularly because of the process this committee has gone through—and it's not the same committee; the committee had tabled its work at the

proroguing of the Legislature—we are now just finishing up to make sure the Legislature has the benefit of everything we've heard, but it's not necessarily what we as individuals on this committee heard, because that's not totally what happened.

I see absolutely no benefit to us at this point in time going through the whole report again and making recommendations or adding on to what we've heard. We've discussed the issues that are in the report and where we disagree on what's there. I think we should proceed to get those two items back from staff to make sure we can get those in the report in the appropriate manner and, with those amendments, adopt the report and forward it to the Legislature.

1110

Mr Christopherson: It's interesting. I think the argument Mr Hardeman just made would argue for this committee not to have done what we just did, which is to review what we heard. Your argument that you don't have the same members reflects more on whether this report actually reflects what we heard and the importance of it rather than the recommendations. I think your argument actually works against what you'd like to achieve.

It seems to me that Mr Kwinter hit on it earlier. The fact is, this is more than just a recording secretary role. The role of the committee, given that it's made up of all three parties, is to hear all this information and then make our recommendations to the minister. The fact that time is so short until the budget speaks to the confusion in the government more than whether or not we should do this, because you're the ones who let this committee go off and do its work and then prorogued the House, leaving us stranded high and dry with no ability to complete what we had heard in terms of what we needed to do.

I would say to you that there's no argument based on whether we were all on this committee or not, because as long as the buses are running, membership on this committee can change overnight if somebody happens to be standing in front of one at an inopportune time. More to the point, the practice most of the time—and Gerry, we've been around this now a few times—

Mr Phillips: Too long.

Mr Christopherson: —it seems to me that what we've done in the past is debated the report to get it as factually correct as possible just so we have a basis of fact that we agree on in terms of what we heard. Then there is a series of recommendations that ultimately are the government's but become the report's recommendations, and the report of course, de facto, belongs to the government by virtue of your majority control and then we vote against it. Then we provide our own series of recommendations, and the public has the ability to see the philosophical difference in the ramp up to budget preparation between the Tories, the Liberals and the NDP.

For the life of me, I would not understand how we could even begin to consider our work finished unless we worked on recommendations or you provided your recommendations and we had a vote. We can have a

discussion and then there are two subsequent reports that come from the two opposition parties. Anything less than that, to me, you might as well go the whole hog and just kill the committee.

The Vice-Chair: Maybe at this time, as Chair, I should ask—I understand the Liberals have a list of recommendations. I'm wondering if the NDP and the PCs have a list of recommendations that need to be considered at this time.

Mr Christopherson: If I might, rather than a list of recommendations, ours is going to be contained in the report that we add. Going through the process of introducing all the recommendations just to have them defeated after the government has already adopted their own is not necessarily practical. If the government wants to make recommendations, they should, in my opinion, table them. We can debate them and vote on them. Then there's a final vote on the committee report with the recommendations and then, based on the long shot that we might disagree, we would provide an alternative report that would be attached.

The Vice-Chair: Does the government have recommendations to put in on page 17?

Mr O'Toole: I would like to share my time with Mr Hardeman, the lead on this from our perspective.

The Vice-Chair: That's very thoughtful of you, Mr O'Toole.

Mr O'Toole: I think at this point it would be fair for me to understand that we have generally a harmonious unanimous—if I could be so strong—report in front of us that most committee members have made some attempt to address. The recommendations certainly will be part of the debate. I'm certain Mr Phillips will embellish his recommendations during the budget debate itself. I'd like to think we'd have a unanimous report from the committee, because it does reflect what we heard from all the hearings for 10 days. A recommendations debate could get bogged down a bit if we want to get into that long, drawn-out tabling of them.

I, for one, would like to see them first. I can't vote on anything or even comment positively or negatively on yours or Mr Phillips's. I would like a copy of those. I pretty much need those without being able to say much further because, really, at this time I have nothing except a report, which each of us seems to have agreed to. I'd be happy to move forward with that. I think it reflects well on the committee and its work. If there's something to be appended or amended or added which I've not seen, I think it's untimely. I would have liked to have had them earlier today. It would have made the debate fuller.

I think I've made my point. If we're going to move forward and change the whole complexion of this issue, there is a lot of time left today.

Mr Hardeman: It has been pointed out by myself and by Mr Christopherson about the events that led up to today, where the committee had their hearings and listened to the public presentations. It was subsequent to that that the Legislature was prorogued, and then all the activities or all the things that were happening and all the

legislation that was in process were dropped, because we start a new sitting of the Legislature when the Legislature is recalled. We had some considerable discussion. Obviously the government wants to be in the position to prepare a budget and to get ready for the coming year. Our members of the committee have talked to the minister and given their interpretation and their suggestions of what they heard. I understood the minister wrote to each of the opposition parties to ask for their comments and suggestions. These recommendations the members opposite are referring to have been asked for because the minister, as I'm sure we are all aware, is in the process of preparing a budget. The opposition, if they have the recommendations they want to add to this report, could put them forward here. I suppose we could discuss them and attach them to the report if the committee totally agreed with them, or they have the ability to forward them to the minister so he can use them as quickly as possible in reviewing his budget to make sure that the views of not only the people who presented to the committee but the views of this committee are all taken into consideration as he prepares the budget.

I see very little benefit in sitting here discussing with this committee now the budget as it's being prepared when the opposition is going to use exactly the same discussion three weeks from now as we're doing the budget. We have all the information that was gathered. We've had this meeting to discuss whether the report reflects what we heard in the consultation and we should move forward with that.

I see no benefit to the people of Ontario for us to sit here for a few days bantering about what we should recommend or what we shouldn't recommend based on what they've told us. Why don't we tell the Legislature what the people told us and then the Legislature can individually make their decisions on what they think the government should or shouldn't do in the preparation of the budget.

Mr Kwinter: I think there has to be a basic evaluation of what this committee does. This is the economic and finance committee of the Legislature, and it's charged with advising the Minister of Finance in pre-budget deliberations. We go out and hear from the public to help us in making our decisions. We're not, as I said earlier, there just to be a collector and to provide all these documents and then send them off to the minister, and that's it. It is our responsibility to make recommendations.

What has been the tradition in this committee—and I've sat on it and some of my colleagues have been on this for many, many years—is that each caucus presents their recommendations. Many of these recommendations are unanimously accepted by all three caucuses. Some of the recommendations that are made from the Liberal caucus are accepted by everybody, some from the NDP are accepted by everybody, and some from the Conservative caucus are accepted by everybody. There are others where there isn't unanimity, and the political reality is that if the government caucus presents

something and they really want it, they get it. They have a majority on this committee. The only remedy we have is to present a minority report because our particular recommendations were not accepted by the majority, which means it was not accepted by the government because they have the majority. The only recourse we have is to present those particular recommendations we feel strongly about but that did not get the consent of the committee.

To suddenly say there's no sense debating all of these things—I mean, that's the only sense there is. Everything else that went before this is just to help us in our deliberations. But we are now in a position where we are supposed to be advising the Minister of Finance as to what we think should be in the budget. It's unfortunate the timing is very condensed because of a series of situations that we certainly had no control over, but I think we would be doing a disservice to the people who made presentations to us and to the interests of the three caucuses if we don't make the recommendations. Really, the purpose of this whole exercise is to make recommendations to the Minister of Finance and if we don't do that, we haven't been doing our job. I think we should be tabling the recommendations that everybody should be putting forward.

1120

Mr Phillips: Monte said it very well. The committees here, and perhaps under all governments, have become less and less relevant. We do ourselves an enormous disservice if we don't try and address that somehow or other. This committee's role, as Mr Kwinter said, is to provide advice to the government, the minister, the Legislature, and the only way to do that—we now have our own judgment, we've now heard from those who had a chance to present, we've read the views of those who couldn't. What do we think? What advice do we have for the Legislature and then the minister? If we don't deal with recommendations, frankly, it's almost a bit like we are completely irrelevant. They might just as well have mailed in their presentations and the research staff have done the summary and sent it on.

But the whole role of this is to take what we heard and try and pull it together into some advice. If we didn't deal with recommendations, I would find it odd in the extreme. As I say, I can hardly contemplate that we wouldn't. I'd fully expect that each of the caucuses would say, "Now we'd like to go over our recommendations." As Mr Kwinter said, there's often two thirds of them—eight or nine or whatever number—that we can all agree on, and then you end up with the third that reflect the different beliefs of the political parties.

Mr Christopherson: If I may, just two points. One is, it was interesting Mr Hardeman mentioned that the committee members on the government side had met with the minister. My question would be, that's only relevant to these discussions if that's part of the process, and if it's part of the process, then you left out this half of the House in terms of allowing opposition members to have a one-on-one with the minister. If it's not part of the

formal process, then again it's not relevant to our deliberations, because you're all in the same caucus and you all chat anyway. So that really is not the point. A clarification on how the government views their meeting with the minister might be enlightening.

Lastly, again to speak to Mr Hardeman's comments, if you take his thought and extend it, what it means is, the only person in the Legislature who should give any thought to what the budget looks like is the minister because we just take in what people tell us and then tell the minister what they told us. You may be prepared, as caucus members of the government, to defer and abdicate all of that thinking to your minister—that's your choice—but we, on this side of the House, certainly aren't going to do that. We intend to reflect on this and make our own suggestions, and it'll be the result of thinking that's different than yours.

If we remove all of that from this process, I agree with my colleagues on the opposition benches, this whole thing was just a useless waste of the taxpayers' money and the time and effort of the presenters who came in. There needs to be some deliberation and discussion of ideas based on what we heard and the different interpretations. That's the essence of why we're here. Without that, we're just one big Tory caucus, and I can assure you, nobody over here wants to be a part of that.

The Vice-Chair: May the Chair attempt a suggestion here? I see one of two things. One would be all caucuses put in their recommendations as an addendum. The other would be, whoever is at the table today with recommendations, distribute them and when we meet at 3:30, maybe we can agree on some of them. Those we can't agree on would then be added to the report as an addendum. Mr Hardeman did have his hand up, but is one of those two suggestions workable here? I think time is of the essence to get this wound up.

Mr Christopherson: There is a third one, if I might. Your first one was the cleanest, which was that each of us would submit our own recommendations, but again it eliminates any discussion.

The Vice-Chair: That's right.

Mr Christopherson: If you included in that that we would at least even set aside a given period of time where we could either comment on what we've submitted or comment on what the other parties have submitted, at least we'll be having some stimulating debate and discussion around the issues. I would be open to that idea because I think it meets both goals.

The Vice-Chair: In that discussion, we may agree on some of them, which would go into the official report and not an addendum.

Mr Hardeman: I just want to follow up on the last comment Mr Christopherson made. We could all be one caucus if that was your wish and then we could all be on the side of right, not necessarily on the right side.

Mr Christopherson: You mean far right.

Mr Hardeman: On some of the other comments made, I happen to believe, and I'd be the first to say, that we need to work harder to make committee work and to

make individual members more relevant in our system. But this process of pre-budget consultation is not designed for me as a backbencher. The process is designed for the people of Ontario to have input into the budget process and to have their views recognized, and I think this document does that. That's far more important than my input, as the process is here for this particular purpose. When you're dealing with legislation, I think it's a slightly different process, but it is a public pre-budget consultation with the people of Ontario. It just so happens that this group was the one that was selected to do that pre-budget consultation. The process we have here will get that information to the minister to help him in preparing the budget.

I don't know why one would suggest that because it doesn't include a group of recommendations—the opposition have already said they're going to disagree with ours and we will disagree with theirs.

Mr Phillips: I never said that.

Mr Hardeman: It was something to the effect, "Well, we really hope we can get the government to agree, but we likely won't. We'll likely have a dissenting report." If the opposition deems that's the appropriate way to deal with the public's comments, then they have the right to put in their recommendations. The government is in the position to say we have heard what the people of Ontario have said about their recommendations for the budget, and we want that information to go to the minister as expeditiously as possible so he can take that into consideration as he is preparing the budget.

One other item: the discussion about who has talked to the minister. I can assure you that in our government we talk to one another and talk to the ministers and put our viewpoints forward. The members of this committee, after they had concluded the consultation with the public, did that to make sure we had the views of all the members of the Legislature not in this process, not from one side. The minister wrote a letter to each caucus asking them to put forward their comments and suggestions from the consultation so he could take them into consideration, recognizing that it was a shorter time frame he had to deal with: "Tell us what you want and tell us what you've heard. Tell us your recommendations," and he could take them into consideration.

My understanding at this point is that no one from the opposition side has seen fit to comment. I leave that to the opposition. They have a right to comment or a right not to comment. But with that, I think we should move forward. This is the committee report. I think we should move forward and get that into the Legislature so it can be into the system in an appropriate manner as quickly as possibly and the finance minister will get the benefit of it.

Mr Phillips: I want to comment in the strongest possible terms that the role of this committee, what we were supposed to do, what the minister stated in a letter was expected from us, what the people of Ontario expect from us, what the Legislature told us to do, was get input from the public and then propose recommendations on what should be in the budget. That is our job, Mr

Hardeman, and if you choose to stop us from doing our job, whatever your reasons are, I will find that unacceptable.

1130

We have not commented to the Minister of Finance, because we have been following what the process is. This committee is supposed to debate its recommendations, provide the Legislature with its input and recommendations. If, at the end of the day, the committee can't agree on what we think, we'll provide independent advice to the minister. If the minister's telling you we haven't responded to his letter, it's because we have been following what we thought was the legitimate process, and if you're telling us today that you are going to cut that process off, that the committee will not have a chance to debate recommendations, I guarantee you we have recommendations that we will put forward. We have recommendations that we will insist the committee deal with. I assume the government will have recommendations that they want the committee to deal with.

But I'm not here to report simply on what people present; I'm here to add my advice and my opinion. That's what we are instructed to do, and that is our role. If the minister is saying, "We haven't heard from the Liberal caucus yet," it's because we're following what we think was supposed to be the process. I will insist that this committee deal with recommendations. I will insist to the best of my ability—you can vote me down. But I will still move the recommendations, and you will have to vote me down on those recommendations.

At the end of the day if we send a report to the Legislature that is without recommendations, I think the public have a right to say to us, "What in the world are you doing with taxpayers' money, travelling around the province? It's your responsibility to provide recommendations and you didn't do it."

Mr Kwinter: I just want to follow up on what my colleague said. One of the problems with this committee is—and I keep saying I've been on it for many, many years—there's a perception out there that this committee is window dressing, that the people who really count, the movers and shakers, get access to the Minister of Finance. They have their pre-budget hearings with him and they're the only ones that really matter and that this committee is just out there as a sop to give the perception that there's public consultation. If we can't, as a committee, meet to absorb what has been presented to us, to make recommendations and then to debate them, it just reinforces the perception that this is really a meaningless committee that has no relevance to the process.

Again, all we have to do is take a look at the timing. If there's anybody in this room, in this province, who feels that the budget isn't virtually cast in stone at this particular point of time, they are very, very naïve. A budget that is coming down in less than two weeks, they're not still fiddling with it; it is virtually set. There may be some very little fine-tuning as a result of events that happen, but it is basically set. It makes no sense to continue this charade of saying, "We've heard what the

people say. Let's send it to the minister so that he can get the benefit of that input."

My colleague has said it very well. Unless we get recommendations, unless we get a chance to discuss them, we really are doing a disservice to this committee and we're doing a disservice to the people of Ontario.

Mr Spina: I don't disagree or agree with the comments that are made, but I just wanted to understand Mr Kwinter's point of view. If, as Mr Phillips, Mr Christopherson and yourself have indicated, we have the proper and usual process of creating recommendations from all three parties as has been the mandate of the committee, we need the time to do that, obviously, as we have had in the past, usually a day or two days of discussion on those recommendations. On the other hand, I'm trying to reconcile that with what you just said, Mr Kwinter, and that is that if the budget is virtually set and there is just fine-tuning, then I guess my question is, which is the charade, the recommendations or adopting what we have now, from which the minister's office has already been collecting input over the past three months anyway?

Mr Kwinter: Mr Chairman, can I respond to that?

The Vice-Chair: Certainly, Mr Kwinter.

Mr Kwinter: Because of the situation we are in right now, it is more important that we do these recommendations. There is an opportunity, hopefully, that there will be some fine-tuning. But if you don't have any recommendations and all you do is table the report as we have it now, I can almost assure you it will just be received and filed away, because it's of no consequence, there's no action required, all it is a statement of what people think. If we have recommendations that are codified and very easy to understand, there is at least a possibility that there may be some response to it. I think it's absolutely critical that we have the opportunity to do that.

The Vice-Chair: If I may, just to help with clarification, standing order 106(d) states: "Standing committee on finance and economic affairs which is empowered to consider and report to the House its observations, opinions and recommendations on the fiscal and economic policies of the province and to which all related documents shall be deemed to have been referred immediately when the said documents are tabled." Then for dissent from various committees, standing order 129(c) states: "Every member of the committee, other than the Chair, shall be permitted to indicate that he or she dissents from a particular recommendation or comment. The committee shall permit a member to express the reasons for such dissent in an appendix to the report."

Can I go back to my suggestion: would you consider exchanging recommendations, if you have them, and when we'd meet at 3:30, see which ones we agree to, which would form part of the official report, and those we don't agree to would form the portion of the report that would be considered as dissenting, either from a party or from an individual?

Mr Christopherson: I appreciate what you're trying to achieve, Chair. I think that to fulfill the task you set

out would probably be a lot more hours and days of meetings than maybe you realize. The only way to adequately and properly do that is to take each recommendation or discussion separately from all three caucuses, debate it and see whether there is any kind of consensus or whether discussion and massaging of certain words and phrases would bring about a consensus. I just want to raise with you that the last part of what you suggest, that we all look through it and try to find common ground—boy, we better get out the calendars, because we're going to be here for a while.

The Vice-Chair: I was hoping it would be "yea" or "nay" and we'd move along.

Mr Phillips: I'm quite agreeable, by and large, with the process. I would change it slightly and say that at 3:30 we return and each of the caucuses put their recommendations on the table. My own experience with it is, you can deal with them relatively quickly, like by 6 o'clock—we could even set ourselves that timetable. I'm quite prepared to return here at 3 o'clock or 3:30, put our recommendations on the table and debate them.

The Vice-Chair: Is it possible to get these recommendations exchanged before we leave here at 12 o'clock, so everybody's ready—

Mr Phillips: If everyone else is ready for that, sure.

The Vice-Chair: —so that people can read them prior to coming to the table.

Mr Christopherson: I don't have them with me physically, so no, I can't give that assurance.

The Vice-Chair: Is it possible to fax them to the—

Mr Christopherson: Come on, Chair. Sometimes we get amendments from this government five minutes before we have to debate them and pass them in committee, so it's not unreasonable that some time before we meet this afternoon, we'll have a chance to exchange them. I also want to point out, with regard to what Mr Phillips has said, don't interpret what I said to mean I'm not prepared to do that. I am. I'm just not convinced we can do it in that time frame. If we can, terrific, but if we can't, then we'd better leave ourselves enough time so we can adequately do it.

The Vice-Chair: Listening to some of the comments from both sides, and not trying to enter into the debate but just to set the stage here, I think the reality is that if we don't complete it by 6 o'clock, the next time to meet would be next Thursday. The fine-tuning window probably would have been passed. Either we get it finished today—going by the date the budget is going to be tabled, we've probably missed the window for getting some recommendations forward. I would hope we either get it this afternoon or probably we're just not going to accomplish it.

1140

Mr Hardeman: Having debated here for a little bit, suggesting that I don't deem it appropriate to go through the recommendation process, I can assure you we don't have a list of government recommendations that we want included in the report. I take exception to Mr Phillips's comment, suggesting we followed a process and now we

find that we can't make a comment. You start the process on a recommendation that we do the public hearings. You get a letter from the minister suggesting that because of the timing issues, he would like to hear from your caucus about any comments or suggestions you may have, and you say, "We'll just disregard the letter, because we're following a process." That doesn't make sense to me. I think that's what they call political jargon. I just don't believe that's the case, Mr Phillips. You decided not to answer the letter so we could go through this debate here. I said yesterday when we were talking that I believed this process is, as Mr Kwinter says, going to be redundant unless we can get it done very quickly. If we follow Mr Christopherson's route and suggestion that we could take a number of meetings to put this together, it's going to be a nice document, but it's going to be of value to no one.

I think it's important that this committee take what they have heard from the people and get it into the Legislature and in to the minister so he can use that, and because of our wrangling here, we don't get caught up in saying all the people who presented to the committee might better not have presented because it was a total waste, nobody even got to hear it, nobody even got to see it in time to prepare a budget. I think we have an obligation, as a committee and as a government, to see that this information gets to the appropriate authorities so it can be used in the preparation of that budget. I don't think all this jargon about how you want to put forward amendments that you suggest will not likely be supported, and why we would put amendments forward that you suggest you wouldn't support, is going to serve the people of Ontario one bit. I think we should move forward and get this information that you've gathered and that we've gathered to the appropriate authorities so it can be used for budget purposes, not for political purposes.

The Vice-Chair: Further discussion?

Mr Phillips: Chair, we will respond to the minister's letter, but only after we have done what we were instructed to do, and that is to make recommendations to the Legislature on budget advice. I daresay this committee has spent hundreds of thousands of dollars of taxpayers' money preparing—

Mr Hardeman: I daresay it has.

Mr Phillips: Mr Hardeman, you might want to listen for a moment.

Mr Hardeman: Not likely.

Mr Phillips: Well, I appreciate that you may not want to listen, but I'll talk to other members of the committee who may want to listen.

We have our recommendations. I will insist that we attempt to introduce those recommendations. I hope that other members of the committee would also have some recommendations and advice. I say again, we spent an enormous amount of taxpayers' money on this process. We're duly elected with a responsibility of providing advice. If you don't want to do that, then so be it. But I will not be a part of that. I will put forward our advice,

and if you choose to vote it down, so be it. But I find it growingly disturbing that this committee won't even—I hope I'm misreading Mr Hardeman, but if he's saying he won't even bring forward any recommendations, I would find that completely unacceptable.

The Vice-Chair: I'm just wondering if at this time you would like to start bringing forth these recommendations to be looked at.

I'm not sure which hand went up first. How about O'Toole, Christopherson and Kwinter?

Mr O'Toole: I'll be brief, I promise. I just want to be on record as saying that I am very interested in the full mandate of this committee. It is our duty—certainly it's your privilege to submit the recommendations. That's certainly within order, and I expect you are implying that you're going to do that. I look forward to reading them, as I said earlier, and carefully considering them. I think at the end of the day it would be presumptuous of me to think or even suppose that some, all or part of those would be quite comfortably accepted, and that's this process. But I fully concur with our mandate, in terms of being elected and accountable, to consider that, and that includes Mr Christopherson.

The government's position is going to be stated very clearly in the budget. We want to support a report which is advice to the minister that may include recommendations.

Mr Christopherson: Two points: first of all, I want to say to Mr Hardeman that, in fairness, I can appreciate that the line gets a little blurry when you're in the government benches, but the fact that the Minister of Finance or the minister of anything sends a letter to a legislative committee does not necessarily equate to an edict from Mount Olympus that we must immediately bow to. This committee answers to the entire Legislature and answers to motions of the entire Legislature. It's not an arm of the Minister of Finance. So the minister can send out whatever letters he wants and for whatever very good reason. You can comment on whether or not you think it was right that we didn't respond; that's up to you. But to suggest that somehow a letter from the minister is a legitimate surpassing of our rights and obligations I have a great deal of difficulty with and would suggest is a misrepresentation of how the committee system is supposed to function in a parliamentary democracy.

Lastly, I would go so far, having now heard the actual mandate, as to raise a formal point of order, Chair, and suggest to you in my point of order that this committee would be out of order if we did not generate recommendations and advice; that merely sending in a sterile report that reflects what we heard is a violation of our mandate, therefore, outside the purview of this government, and therefore would be out of order; and that the only thing in order is some process of arriving at advice and/or recommendations. So I would ask you to rule on that point of order, Chair.

The Vice-Chair: Just let me reread it to you: "Standing committee on finance and economic affairs which is empowered to consider and report"—now, I need a little

assistance in the interpretation there—"to the House its observations, opinions and recommendations...." When it says "to consider," does that necessarily mean that you have to do each and every one of the items on the fiscal and economic policies of the province and so on?

Mr Christopherson: You've heard my argument. I'm arguing that, yes, it is a violation if we don't do those things, and I'm asking you to rule.

The Vice-Chair: We're looking for further advice on this particular item, whether it's something that thou shalt do or whether it's something thou may do.

Mr Kwinter: Mr Chairman?

The Vice-Chair: Yes, we were coming to you. That's right; you were the next in order.

Mr Kwinter: Two points: one point is as a result of what you just said. When you use the word "consider" in that particular context, it's to take in that information and, as a result of that information, do something with it. It doesn't mean, in my opinion, you decide whether or not you want to do it. As I say, there are two meanings to the word.

The Vice-Chair: That's why I'm having some difficulty, to be very honest with you.

Mr Kwinter: I suggest that it means the first interpretation that I have given. I am in your hands as to whether that's the case.

The other thing just for the record, because I agree with Mr Christopherson: this is the standing committee of the Legislature. Its responsibility is to the Legislature; it is not to the Minister of Finance. The standing committee invites the Minister of Finance to come to its committee to make his presentation, but it is this committee that has the obligation to the Legislature to report. It is not its responsibility to deal with the Minister of Finance and what he wants. He can make requests, he can ask that we consider things, but it's up to the committee to decide. I would suggest that unless we provide recommendations, I don't think we're doing our job, and I think it's important that we do it.

The Vice-Chair: Mr Hardeman?

Mr Hardeman: First of all, I want to apologize to Mr Phillips. I shouldn't have said I wasn't listening; I was. I can assure you I was listening to every word.

I think the problem I have is that, as Mr Phillips suggested, we've spent considerable taxpayers' revenue to gather this information. I think it becomes very important that we get it into the system so it can be utilized as best it can be in the system. I think in prolonging it and not putting it forward, we'll find, because of our process, that it's going to be totally missed, that all the gathering and all the discussion becomes irrelevant for this budget. We will have met the standing order, we will have done everything that it says, and we will have reported on the financial condition of it and the thing that's in the standing orders, but we will not have accomplished what we set out to do, which was to give advice on preparing a budget.

1150

My only comment is, and that's going back to the letter from the minister, that was to try and help out with that, to make sure what your opinions were that were garnered through the process could be put into that as he is preparing the budget, and we all recognize that isn't done in two or three weeks' time. That's done over a longer period of time, so he needed and wanted that information as he was preparing the budget.

The meeting is set up for this afternoon, if the issue is that we need to discuss the recommendations that all the members of the committee want to put forward. There is no problem with doing that. I just suggest that I'm not sure it's going to further the cause of getting this information that we gathered from the public into the right hands to actually accomplish the goal we set out to do.

I leave it at that. I said that yesterday and I say it again today: I think it becomes important to get the information we spent all the money gathering to the right parties so they can use it in generating the budget that we'll be seeing on May 9.

The Vice-Chair: The ruling, as I understand, is that there is no obligation to necessarily put forth recommendations. The fact that there is no recommendation sort of states something. It may be debatable on the quality of the report as you see it and as we have heard here, but my understanding is and my ruling is that there is no obligation to be putting forth recommendations.

However, there has been tradition, there have been other things, and I hear the debate here and we're still open for discussion. I had entertained the fact that we maybe exchange whatever we have in recommendations and see if we can't arrive at some consensus this afternoon. But I am at the beck and call of the committee.

Mr Phillips: I would move, Mr Chair, that the committee meet again at 3:30, that committee members be asked to have their recommendations ready then in written form and that the committee consider those recommendations.

The Vice-Chair: Can I request one slight modification: or shortly after question period, whichever is later, for the committee to meet?

Mr Hardeman: The committee can't start until after question period. We'll meet at the earliest appropriate time.

Mr Phillips: That's a given. OK.

The Vice-Chair: Discussion on the motion?

Mr Christopherson: Does the motion assume that at 5:59, regardless of where we are, the discussion ends?

The Vice-Chair: That wasn't in the motion.

Mr Christopherson: I know, and that's why I want to be clear. I'd rather fight it out now than at 5:59.

The Vice-Chair: Would you like to see if we can get a friendly amendment?

Mr Phillips: I'm agreeable to that, as a committee, as I have a feeling that we should try and complete the report today. Even though we haven't seen the recommendations, we're familiar enough with the budget that we can probably—so I would say that the committee—

The Vice-Chair: In other words, we agree to whatever we agree to by 5:59. Failing that, the rest go in as dissenting.

Mr Phillips: That would be fine with me, that we complete our deliberations on the report today.

Mr O'Toole: Mr Chair, if I may just recall the provision that all amendments or recommendations be submitted to the clerk prior to the meeting after question period, so then they would be in the full context of the debate as Mr Phillips has described it.

Mr Phillips: OK. That's fine with me.

Mr Christopherson: Is it the government's intention to submit recommendations? Because we heard statements earlier that they don't have them and they weren't planning to. Is there an understanding?

Mr O'Toole: Well, at 3:30 we're probably going up to caucus.

Mr Christopherson: Why would you make the point, then, that we should all do it if you haven't decided whether you're going to participate or not?

Mr O'Toole: If there are amendments or recommendations, they should be submitted before the start of the part—

Mr Christopherson: Do you know what, Chair? I want to support the motion, but the reality of what's happening on the government side versus the intent as I understand it of Mr Phillips's motion are getting further and further apart. Personally, I would just suggest that we adjourn with the request that all parties submit their reports and/or recommendations prior to reconvening this afternoon and then we'll just see where we are this afternoon. I have a funny feeling that any of the goodwill suggestions we're getting from the government by virtue of their words is going to be once again wiped out totally by their actions.

The Vice-Chair: Basically, the motion now is that we will reconvene at 3:30 and address the recommendations at that time, subject to a time limit of 5:59 or 6 o'clock. Everything will be considered as agreed to. Failing that, then they will be submitted as a dissenting vote.

Mr O'Toole: If I could ask the Chair a question, please. I put the question on the motion that's before us.

Mr Phillips: I'm sorry, Mr Chair, I was also prepared to submit them to the clerk at 3:30 just so we've got a written copy of them.

The Vice-Chair: Certainly.

Mr Christopherson: I'd like a recorded vote.

The Vice-Chair: OK. Discussion? All the discussion is completed. Maybe we could have somebody read the motion as it's going to be printed. Has anybody written anything down?

Mr Phillips: I move that the committee meet this afternoon, at the earliest appropriate time, to consider recommendations from committee members; that those recommendations be available in writing at the time the committee begins its deliberations; and that the committee complete its report by 6 o'clock today.

The Vice-Chair: Thank you. Further discussion? Did you want a recorded vote?

Mr Christopherson: Yes, please.

Ayes

Hardeman, Kells, Kwinter, O'Toole, Phillips, Spina.

Nays

Christopherson.

The Vice-Chair: Is there any other business at this point in time? I don't believe so. This committee is now adjourned until 3:30.

The committee recessed from 1157 to 1609.

The Vice-Chair: We'll call the standing committee on finance and economic affairs to order. The first item should be to review the changes made in the submission that we were looking at this morning. Could somebody remind me of the pages that some of these changes are on?

Mr Rampersad: Page 4.

The Vice-Chair: Page 4 is our first change? If everyone would turn to page 4, it would be under "Corporate Taxes." We see the changes underlined and some struck out. It would now read, "The minister pointed out that Ontario had reduced its corporate income taxes to ensure that the joint federal-provincial corporate income tax rate is more competitive than those prevailing in the Great Lakes states, the province's main rivals for investment." Comment?

Mr Phillips: That's what the minister said?

The Vice-Chair: That's what the researchers checked and that's what they're saying he said.

Mr Rampersad: That is the gist of what he said. I used the word "rivals" rather than "competitors," because we had the word "competitive" in the previous line.

The Vice-Chair: Everybody in agreement with that? I don't think we really need a vote on this one. Just a vote on the whole thing at the end would be in order? There seems to be unanimous consent on that.

On page 6, under "Property Taxes," we start with the second sentence, which would read, "While the education tax, at approximately 50%, forms a significant component of the property tax bill, there is a disparity in the manner in which the tax is assessed, with identical businesses located in different communities being charged different rates. Small business representatives suggested that the average business education tax rate of 3.3% be reduced to approximately 2%," the next sentence starting with, "Moreover, it was suggested," etc. Do we have any comments on that?

Mr Christopherson: If I can, Chair, the second sentence of that, "Small business representatives suggested that the average business education tax rate of 3.3% be reduced to approximately 2%," the 3.3% represents what, through you to David? The 3.3% is exactly what in this context, David?

Mr Rampersad: Let me just check that.

Mr Christopherson: I liked it better before. You had it right the first time.

Mr Rampersad: I'll be with you in a minute.

The Vice-Chair: Maybe we could go on to another one and come back to this one, if you don't mind?

Mr Christopherson: Sure. I'm an easy guy to get along with.

The Vice-Chair: Is that in order? The next one would be "Automobile Industry." We'll start with the second sentence: "Production is expected to decline for at least in the first two quarters of this year." I was under the impression it was to be "in" instead of "for," but is "for" better English?

Mr Hardeman: I have no problem with it.

The Vice-Chair: Sure. Then, starting the last sentence, "Some presenters suggested that the competitiveness of Ontario industry, including higher productivity levels," etc.

Mr Christopherson: Question?

The Vice-Chair: Yes?

Mr Christopherson: Again, I don't want to get us all caught up on two-letter words, but I don't understand why "in" is there. If you read it, "Production is expected to decline for at least the first two quarters of this year." Isn't that pretty much the statement? And I said that without the "in." You put the "in" in, and I don't think it makes a lot of sense.

The Vice-Chair: I think before the intent would be, where the "for" is—right now, it just needs to be deleted.

Mr Christopherson: Yes, just delete the "in."

The Vice-Chair: Yes. I think that's one of these word processing problems.

Mr Christopherson: The second one is just, "Some presenters suggested..."

The Vice-Chair: So we scratch that "in" after "at least." That's typographical. So everybody's comfortable with "Automobile Industry"? I think that's it.

Mr Rampersad: We need to go back to—

The Vice-Chair: Do we need to back up?

Mr Rampersad: To the statement by CFIB.

The Vice-Chair: What page are we on?

Mr Rampersad: This is Hansard, the presentation of the CFIB, going back to the previous page, page 6.

The Vice-Chair: OK, page 6. We're looking at Hansard for a moment.

Mr Rampersad: The CFIB representatives made the following statement: "We argue for reducing Ontario's average 3.3% business education tax rate, which is in fact eight times the residential rate, down to something like 2%."

Mr Christopherson: The reason I asked the question was that I was concerned we were moving into two different parts of the issue. The first sentence clearly deals with the issue we talked about this morning. If I can read the underlined, "...bill, there is a disparity in the manner in which the tax is assessed, with identical businesses located in different communities being charged different rates." That's the point. I didn't know what the reference was of the 3.3%. I didn't want that

detail to take away from the broader point contained in the sentence above.

Mr Rampersad: I understand. I included this because a number of members had talked about the CFIB making this point. Obviously it can be omitted.

Mr Christopherson: I don't have a problem with including it. I can live with it. It's not ideal but I can live with it if it meets the concerns of others on the committee.

Mr Hardeman: I too must agree with Mr Christopherson. It doesn't explain it totally, but I think it does a reasonable job of explaining it. I think the presenters presented on the basis of representing their whole community. They took the average of the educational tax rate and they want that reduced. In the past, and hopefully in future budgets, that's exactly what the province will be doing, to reduce the education tax burden on the business sector.

Mr Christopherson: You just confirmed my concern in your comments. Again, the issue here is that they're so way out of whack in communities like Hamilton. We go into this second sentence and we talk about the overall, which is an important issue, but what we were speaking specifically of is the—it just says "different rates." It doesn't point out and it doesn't give the impression of the huge disparity, say, between downtown Burlington and downtown Hamilton, which is one of the key comparators we have to look at.

Your comments, Ernie, leave me—

Mr Hardeman: The way I read it here now, the first half of the paragraph deals with the disparity. The second half is that the presenters said we should reduce the tax burden. There are no numbers to the disparity. They do vary. Then they suggest that we also need to make sure that we lower the tax burden on business to make it more competitive.

Mr Christopherson: Could you live with "also" being included after the word "representatives," so that it makes it very clear that they are two distinct issues?

The Vice-Chair: Whereabouts are you suggesting the "also"?

Mr Christopherson: In the new language underlined.

The Vice-Chair: "Small business representatives also suggested..."?

Mr Christopherson: Yes. That way it guarantees that the disparity remains one issue. We'd love to be at the 3.3% that a lot of communities are upset about and want to go down to the 2%. We're still drooling over 3.3% in Hamilton. So I really need, for me, to show the clear distinction between the disparity issue and then just whether or not the overall rate, as it applies, should be lower. They are two important points but very distinct.

The Vice-Chair: Is everybody comfortable with putting "also" in there? Any objections?

Mr Hardeman: I have no objection to putting the word "also" in, but I would point out that if you read the first sentence, if you reduce the disparity, you automatically reduce the average. I think the two do work together, but I have no objection.

Mr Christopherson: Well, we can argue the point, but if you agree with “also,” we’re there.

Mr Hardeman: We have to do both, so let’s use the word “also.”

Mr Christopherson: OK. I’m there if we put that in.

The Vice-Chair: Thank you very much. I think everybody is clear then that the sentence now will read, “Small business representatives also suggested that the average business education tax rate of 3.3% be reduced to approximately 2%.” Is that clear? Great.

We should now take a vote on these different items, up to recommendations. Do you want to do it at the end or would you like to take one vote now?

1620

Mr Christopherson: Can I ask what the motion would be? I’ll tell you why I say that. Unless there’s a standard motion, something along the lines of—I was thinking about this since our morning session—a reasonably fair representation of what we heard. That gives all of us who have some concerns about a few things some latitude, rather than just saying, “We all agree 100% with every word that’s in here.” I have trouble climbing to that platform.

The Vice-Chair: Is it easier, when we’re all finished with the recommendations, to just have one motion at the end?

Mr Christopherson: Well, they’re very different things.

The Vice-Chair: Do you want to put the motion forward?

Mr Christopherson: I can try a motion if you like.

The Vice-Chair: Basically what you were saying.

Mr Christopherson: I move that the committee accepts that the draft report presented to the committee is a fair representation of the comments made to the committee.

Mr Spina: And we adopt it.

Mr Christopherson: My colleague is just saying, “And we adopt it.” If we get into that, then we’re getting into a no. In the past we did try to work toward—and Mr Phillips alluded to that this morning, that in the past we’ve tried to at least have support for the presentation of what we heard. The analysis and what we all think about it and what you should do about it is where we’ll diverge. If we can agree on a fairly loosely worded motion—I admit that—then we’ve at least got some semblance of a foundation that people can look at and say, “OK, they agree that this is roughly what they heard,” and then there are the three differing positions by the three parties.

Mr Spina: I just want to clarify the opening part of your motion, David. Was it that the committee accept this as you described, as a fairly representative summary?

Mr Christopherson: I think that’s pretty much what I said. Yes.

Mr Spina: Is that what he said, that the committee accept it? I can live with that.

Mr Christopherson: Then we deal with the recommendations as a separate motion in whatever way we want.

The Vice-Chair: There is probably a formal motion we have to make at the end, to submit it to the House, I expect.

Mr Christopherson: But that’s just should the committee report, correct?

The Vice-Chair: It would be the whole package, with recommendations. We have to pass a motion then, but we could at least accept—

Mr Hardeman: I don’t disagree with accepting that this is a reasonable representation of what the committee heard. I just find the motion somewhat redundant. We can just agree to that. You don’t have to formally recognize that you’re accepting it from staff. What we are going to formally have to accept is the report that we send out of committee; not halfway in the committee decide, “OK, now we think we’ve pretty well got it set up to what we’re going to present in the end.”

Mr Christopherson: Again, that takes us back to where Mr Spina was, to the extent that in all likelihood you’re going to get—certainly you’re going to get a negative from me. I can’t speak for the Liberals, but you’re going to get a negative from me. I was just trying to separate it because in the past—I repeat myself—when I have tried to find common ground—even though I accept that the overarching motion at the end would still negate that there’s a consensus, if one wanted to look at the Hansard, you would find that this much at least we do agree on.

Mr Hardeman: If I might finish, I don’t object to having that passed and having in Hansard that we all agree to this as a reasonable representation of what the committee heard in the deliberations. I just don’t know what that does for the report, to take it to the next step.

Mr Kwinter: Could I suggest that we handle this the same way as you would do in clause-by-clause of any bill, in that we approve the draft as presented and amended and after that, we go on to the next step, and that is to introduce the recommendations and, at the end of that, we then pass the total package?

The Vice-Chair: That was my thinking, what I suggested. So your motion is still standing on the floor, that we accept this with the modifications or with the amendments we’ve discussed.

Mr Spina: Except that Mr Kwinter just used the word “approve” as opposed to Mr Christopherson using the word “accept.” So which is it?

The Vice-Chair: I heard him say “accept.”

Mr Christopherson: I prefer “accept.” “Approve” is a lot different in my mind. I can accept something without necessarily approving of it.

Mr Kwinter: The difference between “accept” and “approve,” in my opinion, is that when you accept something, it means you receive it. When you approve it, you’ve said, “OK, we’ve gone through this thing. We’ve now approved that part of the report.” It is not the total report because we’re not going to deal with the recommendations, but we have approved this, so we can move on. If you accept it, it’s a little different. The nuances of the syntax are such that, to me—there’s got to

be some closure to it. We've approved it. Let's move on to the next section.

The Vice-Chair: I'm sitting here as the Chair. Would you like a friendly amendment to that, would you like to put it forward as is, or would you like to withdraw it?

Mr Christopherson: I would just state, through you to Mr Kwinter, that I think the balance of the motion does that. By saying that we accept that this is a reasonable reflection, or whatever words I used when I presented it, I think therein is the action. If you go with "approved," why bother then including "reasonable"? "Reasonable" was meant to cover off those minor few things that we haven't taken the time to debate that we may disagree on. Once you say "approved," that means full lock, stock and barrel. Personally, I'd just as soon not go there. If somebody's got a new motion, I'm open.

Mr Hardeman: I think I need an interpretation of what Mr Kwinter means by "approved." Is that accepting that everything written in the report is what was heard, or is that accepting that "I agree with everything that's written in the report"? If we approve what's in the report, we have agreed that we agree with all the presenters, unless it actually identifies the presenters. If it's accepting the report as a reasonable facsimile of what was heard, I would be more comfortable supporting it. I don't have a problem either way, actually.

The Vice-Chair: The traditional word is "adopt."

Mr Spina: I'm just going to ponytail on what you just said, Mr Chair, because that was my original comment when Mr Christopherson used the word "accept." That's why I had suggested that we accept the report and adopt it, which essentially approves its reception by the committee. That doesn't necessarily mean we agree with everything that's said. What we're doing is approving the draft that staff has brought back to us as a reasonable summary of the presentations. Then, as Mr Kwinter I think correctly defined, we've approved the adoption of this part of the report, and then we get on with the recommendations, which—we may well be diverse in those recommendations, but at least we are concurrent in accepting and adopting the main part of the summary, the summary as it has been presented to us.

If you disagree with what's been presented to us, then it becomes a different story. Perhaps Mr Kwinter will agree with this; I don't know. But I'll defer.

The Vice-Chair: Two politicians agreeing will be two moons in the sky.

Mr Kwinter: We spent the morning going through the document and we made amendments. We went through it. At the end of the morning, the Chairman asked, "Are there any further amendments?" and there were none. We went to great lengths to discuss the fact that we felt there should be recommendations as an addendum to this report. To me, in order to move on to that step, we have to bring some closure to this. We either adopt it, approve it—acceptance doesn't quite do it for me, because all it really does is say we're receiving it. I don't think you can suck and blow at the same time. If you're saying, "I have no problem with this. Let's move on"—and you say, "I

don't want to say that. I want to say that I accept it, but I may not quite accept it or I may not quite approve it."

I really feel we have to move to the next step. If someone has a problem with the part we've already discussed, then let's discuss that. But if there isn't a problem, let's adopt or approve and move on so we can deal with the recommendations.

Mr Phillips: My preference would be the word "adopt" if only because there is always, in hindsight, a challenge. I think the challenge, if we use the word "approved"—there are lots of things in here that I don't agree with, because each person has their own views. So "accept" and "adopt" are not bad for me.

The Vice-Chair: Mr Christopherson, would you like to change the wording or would you like to have the question put, rather?

1630

Mr Christopherson: Well, continuing with the theme of trying to find agreement if we can, since this needn't be controversial, I can live with "adopt," but not "approve." If we go from my "accept" to "adopt," I can live with it. If we move to "approve," then I have to vote against.

The Vice-Chair: The motion now reads, "To adopt the"—could you give the rest of the verbiage there?

Mr Christopherson: The clerk may have the wording.

The Vice-Chair: "Moved that the committee adopt the draft report as a fair representation of what was said."

Mr Christopherson: I'll move that amendment.

The Vice-Chair: Those in favour? Those opposed? Unanimous. Wow.

Mr Christopherson: Live it up. It's the only one you're going to get.

The Vice-Chair: Now we move to recommendations. Three sets have been circulated. A member or two came to me about the confidentiality of this in discussion. Is it the wish of the committee that we move to in camera discussion or that we continue in public?

Mr Spina: I would move that we take the deliberations in camera for the recommendations.

Mr Christopherson: Can I ask why?

Mr Spina: There are various comments we'll each be making, many of which will be strictly political. It's my understanding that when we come out of camera and we actually vote on the recommendations, we still will each have an opportunity to comment on the motion on the floor at that time.

Mr Christopherson: Wait a minute. You're presupposing that we conclude our deliberations well enough before 6 o'clock that we can have that discussion. Usually, the reason you go in camera is because there's an attempt on the part of the committee to come up with a report that everybody stands behind, particularly if it has been noted as being controversial. A couple of examples: we've done a mental health bill—

Mr Spina: You're predisposing it will be divergent.

Mr Christopherson: I'm looking at the recommendations. I don't think it takes 20 years of experience

to realize that we're likely to end up on different sides, and the only chance to get anything said on the record is to do it in public. I don't know why we'd go in camera at this point. I will oppose it.

The Vice-Chair: I'm open to your wishes.

Mr Phillips: Generally, as I said earlier, I prefer to do everything in public. Many of us come from a municipal background, where that is the rule, and it's a good rule. The only time you go private, as I said earlier this morning, is when you're dealing with a personnel matter or where someone may stand to benefit financially from the information. I have a preference for staying in public for that reason. The stock market's closed now anyway.

Mr Hardeman: I agree with Mr Phillips that one should do everything as much as possible in public, but I think we do have one other problem with the budget documents. This committee has done the consultation, and remember, the consultation process and the recommendations are for the Legislature. I believe they and the Minister of Finance should be the first to receive those recommendations, as opposed to finishing here this afternoon and having the public document from here rather than the public document after those we are doing it for receive it. I think it's appropriate to do this in camera, strictly for the process.

Mr Christopherson: I didn't understand what he was saying. Is he suggesting that if we go in camera, the document won't be released until some point in the future because it's got to go to the minister first?

Mr Hardeman: It goes to the Legislature, doesn't it?

The Vice-Chair: Yes.

Mr Hardeman: Is it released publicly here first?

The Vice-Chair: No.

Mr Christopherson: You can't move motions in camera, so you've eventually got to move your package in public, at the end of the day, to forward. Those documents that are the subject of your motion are then part of the public record. That's why I'm asking. That's my understanding. Anything different would be a divergence.

Mr Hardeman: My understanding was that it would stay in camera until it was presented to the Legislature.

The Vice-Chair: I've just been told that motions can be made in camera, but going back to school board and municipal days, you made the motion out of camera and what was discussed—

Mr Christopherson: But was it lawful in camera? Motions of action on the part of a committee are lawful in camera?

The Vice-Chair: This is what I'm told, yes.

Interjection: You can adopt the decision outside camera.

Mr Christopherson: That's what I would have thought. You still have to do something publicly.

Mr Hardeman: Mr Chairman, the one difference here—and Mr Phillips mentioned the municipal days—is that if you look in the Municipal Act, you cannot vote in camera and have the resolution bind the corporation. We are not making any resolutions here in camera that are

going to bind the government. That's the difference. In camera in municipalities, providing that we all recognize that it doesn't carry the weight of law, you can vote in camera; you just can't have one that binds the corporation.

Mr Christopherson: I've never heard that this suddenly becomes a secret document until it gets into the hands of the members. That's not my experience on this committee.

The Vice-Chair: It does state in here that it is a confidential document until tabled in the Legislature. That's why it was sent to you with a "confidential" stamp on it.

Mr Christopherson: Well, the draft I understand, but I don't recall any reports being kept under wraps before, unless it was just a procedural thing and we didn't talk about it in the past.

The Vice-Chair: Usually it's pretty quick. From the time the committee tables it until it's taken to the Legislature is the next working day that the House meets.

I'm not fighting one way or the other for it. Some of these are surprises to me as I see the procedures.

OK. I believe Mr Spina put a motion on the floor that we move in camera, or were you just talking?

Mr Spina: I did have a motion on the floor.

The Vice-Chair: Do you want to leave it on for a vote?

Mr Spina: I'm getting conflicting advice, but I will leave it here.

The Vice-Chair: Further discussion on moving in camera? Those in favour? Those opposed?

Mr Christopherson: Sorry. Can I ask for that to be recorded.

The Vice-Chair: Yes, you may. We'll start again.

Ayes

Hardeman, O'Toole, Spina.

Nays

Christopherson, Phillips.

The Vice-Chair: The motion carries.

The committee continued in closed session from 1637 to 1722.

The Vice-Chair: The standing committee on finance and economic affairs has risen from camera. I'd now entertain four motions. The first one would be to adopt an amended report and the recommendations thereto.

Mr Christopherson: Recorded vote.

Mr Hardeman: I move that we adopt the report with the recommendations put forward, from 1 to 9.

The Vice-Chair: And the amendments.

Mr Hardeman: And the amendments that were previously discussed.

Mr Christopherson: I have a question, Chair: we're not reading the recommendations into the record, so are

we acknowledging that they will form part of the motion after the fact, that it be transcribed?

The Vice-Chair: An excellent point. Do these need to be read into the record? I'm told they don't need to be read into the record.

Mr Christopherson: But they will appear, obviously, as part of the motion?

The Vice-Chair: But they will appear, yes.

Mr Christopherson: OK, that's fine. Thank you.

The Vice-Chair: Further discussion? A recorded vote.

Ayes

Hardeman, O'Toole, Spina.

Nays

Christopherson, Phillips.

The Vice-Chair: Carried.

The second motion I would entertain: that the Chair be authorized to table the English-only version of the report in the Legislature.

Mr O'Toole: So moved.

The Vice-Chair: Discussion? A recorded vote.

Ayes

Hardeman, O'Toole, Spina.

Nays

Christopherson, Phillips.

The Vice-Chair: I declare the motion carried.

The third motion I would entertain is a motion to send the report for translation and printing after it has been tabled. I didn't say that very well. A motion to send the report for translation and printing after it has been tabled in the Legislature.

Mr O'Toole: So moved.

The Vice-Chair: Discussion? Those in favour? Those opposed? The motion is carried.

The final motion necessary: I would entertain a motion from one of you that a confidential copy of the draft report, with dissenting opinions, be presented to the minister before it is tabled in the House.

Mr Spina: So moved.

The Vice-Chair: Discussion? Those in favour? Those opposed? I declare the motion carried.

Mr Phillips: Mr Chair, I think there's one more motion we need, is there not, that any dissenting opinions be presented to the clerk's office by 4 o'clock Monday?

The Vice-Chair: That is in the in camera session. It's my understanding that that is printed and will become part of the record.

Mr Phillips: That's fine.

The Vice-Chair: It will appear as part of it, so it is public and it overcomes a concern from earlier.

Mr Hardeman: On the issue of the first motion—I'm not speaking to the motion. I'm requesting from the clerk as to the need for tabling the English-only version in the Legislature and then translating it after the fact. I think it's important that the record show why that's being done. There's no indication there that it should be translated, it needs to be translated, that there was a particular need to do that.

The Vice-Chair: My apologies for not expressing that when I called for the motion. The reason is, it takes approximately two weeks to have it translated and, because of the timing of the budget etc, we wanted to get it into the Legislature as early as possible so it could be used by the minister. The translation will take place and will be available, but standard procedure, as I understand it, is it will take approximately two weeks to accomplish that.

Mr Hardeman: The reason I bring it up is I noticed that there was a recorded vote requested to make sure that everyone knew who was supportive of putting it before the Legislature in time for the document to do any good and those who supported not to put it before the Legislature until two weeks later, when in fact we all know it would no longer be of benefit for the purpose for which it was created. I just thought the record should show that.

Mr Christopherson: Come on, Chair. Let's be realistic here. It needs to be said: the Minister of Finance is no more going to look at this than are the vast majority of Ontarians. Come on.

Mr Phillips: Ernie, if you want to play these games—

Mr Hardeman: Then why did you have a recorded vote for that?

The Vice-Chair: I'd just call it to order.

Mr Christopherson: There's no game there. I just didn't want to be supporting your recommendations, and they were contained in that motion.

The Vice-Chair: If I can just get the committee back to order. Just as we wind up, I'd like to extend a note of appreciation to the staff—to Hansard, to the clerk and those who have travelled with us and put up with us over the last month or two. I certainly appreciate their efforts—and recording; obviously our recorders and writers did a pretty good job, because we didn't ask for too many changes. I think that's an indication of the quality of work that they've been able to complete. So on behalf of the committee and the Chair, thank you ever so kindly for your collective efforts.

Mr Christopherson: I think it would be in order to recommend the clerk for sainthood, having stuck through the whole process.

The Vice-Chair: I thought you were going to say "a raise" for a second.

Mr Christopherson: That's a Tory idea.

The Vice-Chair: A recommendation for sainthood. Hear, hear.

With that, I declare the committee adjourned.

The committee adjourned at 1728.

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of Ontario**

Second Session, 37th Parliament

**Assemblée législative
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Deuxième session, 37^e législature

**Official Report
of Debates
(Hansard)**

Thursday 7 June 2001

**Journal
des débats
(Hansard)**

Jeudi 7 juin 2001

**Standing committee on
finance and economic affairs**

Subcommittee report

**Comité permanent des finances
et des affaires économiques**

Rapport du sous-comité



Chair: Marcel Beaubien
Clerk: Susan Sourial

Président : Marcel Beaubien
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LEGISLATIVE ASSEMBLY OF ONTARIO

STANDING COMMITTEE ON
FINANCE AND ECONOMIC AFFAIRS

Thursday 7 June 2001

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

COMITÉ PERMANENT DES FINANCES
ET DES AFFAIRES ÉCONOMIQUES

Jeudi 7 juin 2001

The committee met at 1004 in room 151.

SUBCOMMITTEE REPORT

The Chair (Mr Marcel Beaubien): Good morning, everyone. If everyone would take their seats, I would like to bring the committee to order.

The purpose of the meeting this morning is to consider the subcommittee report on Bill 45, which is An Act to implement measures contained in the 2001 Budget and to amend various statutes. I think all members have a copy of the subcommittee report in front of them. I will need someone to move the subcommittee report.

Mr Rosario Marchese (Trinity-Spadina): I'd like to move this subcommittee report. Mr Chair, do you want me to read it for the record?

The Chair: For the record, please.

Mr Marchese: Your subcommittee on committee business met on Tuesday, June 5, 2001, and on Wednesday, June 6, 2001, and recommends the following with respect to Bill 45, An Act to implement measures contained in the 2001 Budget and to amend various statutes, 2001:

(1) That an advertisement be placed for one day in the major paper of each of the cities and the catchment area to which the committee intends to travel. That advertisements be placed in both English and French papers, if possible.

(2) That an advertisement be placed on the Ontario parliamentary channel and on the committee's Internet page.

(3) That the newspaper advertisement be sent out as soon as possible.

(4) That each party submit a prioritized list of witnesses and that the number of witnesses be divided amongst the three caucuses (25% each) with 25% of the witnesses being chosen by random ballot by the Chair and committee clerk.

(5) That each party submit a prioritized list for witnesses for St Catharines at the full committee meeting on Thursday, June 7, 2001.

That, Mr Chair, might need some review as soon as this subcommittee report is presented.

(6) That reimbursement for travel be at the discretion of the Chair and based on the witnesses' ability to attend the hearings.

(7) That the Minister of Finance be offered 15 minutes in which to make a presentation to the committee on Monday, June 11.

(8) Following the minister's presentation, each of the three parties be allowed five-minute replies.

(9) That the committee meet from 9 am to 5 pm with an hour for lunch in St Catharines (June 8).

(10) That the committee meet from 9 am to 9 pm with an hour for lunch and an hour for dinner in London (June 15).

(11) That the committee meet from 9 am to 4:30 pm with an hour for lunch in Sudbury (June 18).

(12) That the committee meet from 9 am to 5 pm with an hour for lunch in Ottawa (June 19).

(13) That the committee meet from 9 am to 12 noon and from 4 pm to 9 pm in Toronto on June 11, 12, 13 and 14.

(14) That the deadline for amendments be the morning of Wednesday, June 20, 2001, before the commencement of clause-by-clause consideration.

(15) That the deadline for written submissions be 5 pm, Tuesday, June 19, 2001.

(16) That groups be offered 30 minutes in which to make a presentation, and individuals be offered 20 minutes in which to make a presentation.

The Chair: Thank you. Mr Marchese has moved the adoption of the subcommittee report. Is there any discussion?

Mr Ernie Hardeman (Oxford): As the subcommittee will be aware, I did not support the report or some of the items in the report during the subcommittee meetings, and I will be voting against the subcommittee report.

The Chair: Any further comments or discussion? If not, then all those in favour of the subcommittee report? Those opposed? The motion is not carried.

Mr Gerry Phillips (Scarborough-Agincourt): Tell us what we're going to do.

Mr Hardeman: I'd like to propose a motion.

Mr Marchese: Do you have a copy of the motion?

Mr Hardeman: Yes, we do.

Interjection: It's all prepared.

Mr Hardeman: This is not something that was just spur of the moment; this is a serious issue.

If I could, Mr Chairman, I believe the report has been distributed, so for the record I'll read it into the record.

1010

I'd like to present the following motion with respect to the business of this committee:

I move that the committee conduct its business as follows:

(1) That on the dates set out in the order of the House dated June 4, 2001, with respect to Bill 45, the committee meet during the following hours:

Friday, June 8, 2001: 10 am to 12 pm for hearings; 1 pm to 4:30 pm for hearings;

Monday, June 11, 2001: 9 am to 9:30 am for a statement by the Minister of Finance; 9:30 am to 10 am for a technical briefing by Ministry of Finance officials; 10 am to 12:40 pm for hearings; 4 pm to 6:40 pm for hearings;

Tuesday, June 12, 2001: 9 am to 12:30 pm for hearings; 4 pm to 6 pm for hearings;

Wednesday, June 13, 2001: 9 am to 12:30 pm for hearings; 4 pm to 6 pm for hearings;

Thursday, June 14, 2001: 9 am to 12:30 pm for hearings; 4 pm to 6 pm for hearings;

Friday, June 15, 2001: 10 am to 12 pm for hearings; 1 pm to 4:30 pm for hearings;

Monday, June 18, 2001: 10 am to 12 pm for hearings; 1 pm to 4:30 pm for hearings;

Tuesday, June 19, 2001: 10 am to 12 pm for hearings; 1 pm to 4:30 pm for hearings;

Wednesday, June 20, 2001: 10 am to 12 pm for clause-by-clause; 4 pm to 6 pm for clause-by-clause;

Thursday, June 21, 2001: 10 am to 12 pm for clause-by-clause; 4 pm to completion of clause-by-clause.

(2) Each presentation shall be 20 minutes. Any time remaining after the presenter's oral presentation shall be divided equally among the caucuses for questions.

(3) The Minister of Finance will make a presentation to the committee and answer questions on Monday, June 11, 2001, for 30 minutes, followed by a technical briefing conducted by Ministry of Finance officials for 30 minutes.

(4) That the deadline for receipt of requests to make oral presentations be 12 noon on Monday, June 11; and that the deadline for receipt of written submissions be 5 pm on Wednesday, June 19, 2001.

(5) That the Chair and the clerk of the committee schedule witnesses on the advice of the subcommittee, with the following conditions:

(a) If not already done so, by 12 noon on Thursday, June 7, 2001, the clerk of the committee provide each subcommittee member with a list of potential witnesses who would like to appear before the committee in St Catharines.

(b) By 1:30 pm on Thursday, June 7, 2001, the clerk of the committee provide each subcommittee member with a list of potential witnesses who would like to appear before the committee in Toronto on Monday, June 9, 2001, and Tuesday, June 10, 2001.

(c) By 2:30 pm on Monday, June 11, 2001, the clerk of the committee provide each subcommittee member with a list of potential witnesses who would like to appear before the committee in Toronto on June 13, 2001;

Toronto on June 14, 2001; London on Friday, June 15, 2001; Sudbury on Monday, June 18, 2001; Ottawa on Tuesday, June 19, 2001.

(d) Witnesses shall be scheduled according to lists provided to the clerk by each member of the subcommittee.

(e) For the purposes of these lists, each member of the committee, not including the Chair, shall be allowed to select two witnesses, plus one alternate, from the list provided by the clerk.

(f) The official opposition caucus and the third party caucus shall each be permitted to select one additional witness for each day.

(g) The subcommittee members shall return their list for Friday, June 8, 2001, to the clerk by 1 pm on Thursday, June 7, 2001.

(h) The subcommittee members shall return their lists for Monday, June 9, 2001, and Tuesday, June 10, 2001, to the clerk by 3:30 pm on Thursday, June 7, 2001.

(i) The subcommittee members shall return their lists for the remainder of the days to the clerk by 5 pm on Monday, June 11, 2001.

(j) Witnesses shall be scheduled according to the lists provided to the clerk by each member of the subcommittee.

(k) Cancelled slots will be filled at the discretion of the Chair from the alternates proposed on the appropriate caucus lists.

(1) As much as possible within these parameters, final scheduling authority shall be delegated to the Chair of the committee.

(6) That notice of hearings be provided by advertising on the Ontario parliamentary channel and the Legislative Assembly Web site.

(7) That notice of hearings be provided by advertising once as soon as possible in English and/or French as appropriate in the daily newspaper of each community outside of Toronto that the committee will visit for public hearings.

(8) That the text of the advertisement be as follows:

"Bill 45, Responsible Choices for Growth and Accountability Act (2001 Budget), 2001.

"The standing committee on finance and economic affairs will meet to consider Bill 45, An Act to implement measures contained in the 2001 budget and to amend various statutes.

"Hearings on Bill 45 are scheduled for St Catharines on Friday, June 8, 2001; Toronto from Monday, June 11 to 14, 2001; London on Friday, June 15, 2001; Sudbury on Monday, June 18, 2001; and Ottawa on Tuesday, June 19, 2001.

"People interested in commenting on the bill in writing may send written submissions to the committee clerk at the address below by 5 pm on Wednesday, June 19, 2001.

"Copies of the bill may be purchased through Publications Ontario at 1-800-668-9938 or 416-326-5300 in Toronto, or viewed on the Web site of the Legislative

Assembly of Ontario (www.ontla.on.ca)," and the address and phone number of the clerk.

The Chair: Mr Hardeman has moved the motion. Is there discussion?

Mr Phillips: There are a lot of groups and people who want to present to the Legislature. Why would we not want to sit beyond 6 o'clock?

Mr Hardeman: The hearings outside the metropolitan area are being put in place so that people in those areas can be heard. There is obviously a need to move from place to place. To make sure we're all there and attentive, we think it's appropriate to set a reasonable length of working days of hearings so we can then move on to the next place. We think the dates and times we've put forward are appropriate for the circumstances.

Mr Phillips: I'm just looking at Toronto here. We're in Toronto for four days. Why would you want to end at 6 o'clock in Toronto?

Mr Hardeman: We think that's a reasonable length of day. I suppose for all other functions of government certain times are set, and it's reasonable to assume that when members of the committee start early in the morning, by late afternoon they've had a full day. We think it's an appropriate cut-off to say that in Toronto we will meet till 6 o'clock. That's when the normal House day would be finished and we deem that appropriate.

Mr Phillips: I feel we're doing the public a big disservice. Our committee meets maybe 10 days a year. I'm prepared to work a little bit harder. I'd move that in the days we're in Toronto, the committee sit until 9 o'clock instead of 6 o'clock.

Interjection.

Mr Phillips: That's an amendment, Mr Chair. Maybe just to make it simpler: as well as for the four days in Toronto and the one day in London, I would move that we sit until 9 o'clock. I would just add that the House often sits at night, so I think we can do that.

The Chair: Mr Phillips has moved an amendment that the committee sit until 9 o'clock in Toronto and in London. Any discussion on this amendment?

Mr Marchese: I'll be speaking to the entire motion and I'll address this amendment, which I support. There's no point debating it long because I'll make other comments. I'm convinced M. Hardeman and gang are going to oppose it, obviously.

1020

Mr Doug Galt (Northumberland): If I may, Chair, it is interesting to look at what's been laid before us. I've added it up. It is 44 hours of hearings plus the two days over and above—11 hours. Mr Phillips was asking for more time. As I look at 44 hours, with the presenters on the 11th, and dividing it up three per hour, that's well over 100 presenters, probably in the neighbourhood of 120 or so. If we don't understand the problem after 100-plus presenters have come before us, then I think we have difficulty, as a committee, sorting everything out as it relates to this particular bill.

If you look at the tradition and the number of hours that our government has had in consultations, it's way in

excess of any of the other governments. I have to ask Mr Phillips, when they were in government, why would they only have had 343 hours in total of consultations? They asked for 370 hours on this particular bill when in fact they didn't even have that many in total for all of the bills that they put through. It is obvious they did not want that particular amendment to the motion to go through on Monday. They're just playing games and being silly. The NDP wanted 80 days. They must have got it from the film *Around the World in 80 Days*—pretty silly, what they were asking for. Their government didn't have that many hours in consultations.

What has been put forward by Mr Hardeman is more than generous in getting an understanding of what's going on on this particular issue. We've heard a lot already. By the way, the motion did go through unanimously in the Legislature on Monday after all of the debate. So I think what we are discussing here is rather frivolous. We should get on with the amendment and the motion, and get on with the hearings.

Mr Joseph Spina (Brampton Centre): I understand Mr Phillips's amendment and can appreciate it. But there is a fundamental difference between the time that each of the presenters will have in the subcommittee's motion, which was 30 minutes, versus this motion, which calls for 20 minutes. I haven't done the math to the minute, but I would suspect that, because of the shorter time frame, if you added it up over the roughly 128 presentations that would be allowed to be into this, we would be able to accommodate, by the shorter 20-minute time frame, as many people as you would in the longer time frame for the longer time period. In other words, we could end at 6 o'clock and still accommodate the same number of presentations approximately as we would if we had gone till 9 o'clock. Therefore, I would not support the amendment based on that logic.

The Chair: Any further discussion?

Mr Phillips: I'm not sure how you want to deal with it, Mr Chair, as others will go on, but I understand the politics of all of this. Five hundred groups and people have asked to appear before us. We are a democratic institution. People think that we are—and should expect that we are—here to listen to them. This is a fundamental issue on both sides for people.

My background is school board; many of you were municipal politicians. You'd never get away with this. Municipally, you would make sure you listened to everybody who wanted to speak on issues. I understand the way this works. You will vote this through. I just say to you, if you step back from the politics for a moment, people have a right—the maximum number—to be heard on this. I truly believe that. If you choose, rather than allow a significant additional number of individuals or groups to express their views—that's your decision. It is a political mistake if that's your decision. I just want to let you know it is wrong.

The Chair: Any further discussion? If not, I'll call the question on Mr Phillips's amendment that the committee

sit until 9 o'clock for the hearings in Toronto and for the one hearing in London.

All those in favour of the amendment? Opposed?

Mr Phillips: Recorded vote.

Ayes

Marchese, Phillips.

Nays

Galt, Hardeman, O'Toole, Spina.

The Chair: The amendment is defeated.

Mr Phillips: I gather that the way this will work is each committee member submits a list of two witnesses and one alternate. How does that work? In Toronto, you submit a list. Explain how you foresee this working.

Mr Hardeman: My understanding is that the list that will be coming from the clerk's office will include—on the list they will suggest which venue they would like to present at. Because of the shortness of the time and the need to notify the people who are going to be at tomorrow's hearing, they need to move on and get them notified. We are suggesting that we have different times for picking the delegates for the different venues to make sure we give as much time to all the participants as we possibly can.

The general thrust is that each member of the committee would get to pick two delegations that they would like to have present to the committee. In case there are more slots than would be picked if every member of the committee just picked two, we are suggesting that in those areas the opposition would get the extra.

The alternate would be picked if the one that is picked can't fill the slot. The clerk would then contact the alternate rather than look in the basket for a new presenter.

I think that explains the process.

The Chair: Mr Hardeman, I'd like something clarified myself, because all the presenters are listed by the city they come from. There are four requests from the city of Guelph. Would the city of Guelph be allocated to the London hearings or would they be allocated to the Toronto or St Catharines hearings? How would you differentiate—

Mr Hardeman: As the list goes out, the members can make their selection based on—for tomorrow's committee meeting, every committee member would be able to select two delegates they would like to be invited. They can be from anywhere. If one of those delegates does not want to appear in St Catharines, then the clerk would be asked to contact the alternate. That's why the alternate process is in place. One cannot guarantee that, after they've made application to be heard, they would be willing to be heard in any location, so it would give each member of the committee the opportunity to pick an alternate. That's the call that would be made if the original two do not want to be heard in that venue.

Mr Phillips: Just so I understand the principle that drives this, is it that the government has now determined that it always wants to control a majority of witnesses coming before a committee and that you will always have control over a majority of people presenting to our committee?

Mr Hardeman: This is about each member of the committee having the same ability and the same privileges as any other member of the committee.

Mr Phillips: It is an all-party legislative committee. The government can set the number of committee members. It always has the majority. By following this new principle, I gather that now the government's approach to committee work is that they will control a majority of the witnesses. Is that the principle we are following now?

Mr Hardeman: The principle we are following here is that every member of this committee, whether you're in opposition or whether you're on government, has the same rights as any other member of the committee. If someone is going to make selections based on the type of evidence or the type of presentations they would like to hear, every member of this committee gets the same opportunities. They get to select the type of delegations.

Mr Phillips: If you control the size of the committee, then you control the witnesses.

Mr Hardeman: There's no attempt here at all of controlling anything. This is providing the ability for every member of the committee to participate in this process.

Mr Phillips: You have the majority on it. This is getting a bit out of hand. Why do you feel you need to control the majority of the witnesses? What's the rationale for that?

1030

Mr Hardeman: As I said, Mr Chairman, this process being put forward is not to control; this process is to provide the ability of every member of this committee to have the same rights and privileges as other members. So in this case it's strictly based on the committee members. We are all going to hear the presenters, those who have put their names forward who would like to present; we are all going to hear every presenter. I think every member of this committee has equal rights as to the type and the areas of the province and the areas of jurisdiction they wish to hear from in order to help us make decisions in the best interests of the people of Ontario.

Mr Phillips: I'll say publicly that first you will limit the time for the debate; second, you will guarantee that you have a majority of witnesses coming to speak in favour of your bill. You are essentially trying to control everything.

I gather you've got your marching orders from the Premier's office on this, but I don't understand why you would want to control and have a majority of witnesses in your hands. I don't know why you would not want to follow what we've done on this committee.

Mr Chair, as you know, for years and years I've sat on this committee, for 11 years now, and we've always

followed the process. Then, today you've decided you're going to take a different approach. We've always followed the process that Mr Marchese proposed in his motion.

The Chair: I have to go to Mr Marchese, who is next.

Mr Marchese: I don't mind listening to Mr O'Toole first, then come back to me, Mr Chair, if that's OK with him?

The Chair: OK.

Mr John O'Toole (Durham): I've just got a quick response to Mr Phillips.

I understand that Mr Phillips, as the point person for the Liberal Party, who have clearly voted opposed to every education reform—in fact every tax reform and every tax cut, they voted against it. So I just disagree with his premise that there's some change here.

I suspect that he's implying things that arguably are not exactly the way it really is. I understand he's been told to do that by Dalton McGuinty, so I'll probably vote against that premise because they've voted against every single reform and to improve the quality of education.

They voted against every reform that saved hard-working Ontarians their tax money, so I think he's going out of his way here to—there's certain words you can't use in this forum, but to wrongfully inform, or misinform, the people of Ontario. I'm prepared today to sit and listen to Mr Phillips at any time.

I think it should be clear that everyone either listening today or following this debate has an opportunity to write to the clerk. All of that information will be synthesized and collected and reviewed, and at the end of the day the people of Ontario have every right to be heard.

That means there are two sides to the issue. Mr Phillips is on one side and he is not going to change his particular attitude, as I have seen him demonstrate it over the last, as he says, 11 years; I've only watched him for six or seven. He's against any kinds of tax reductions. He's against education quality and accountability—

Interjection.

Mr O'Toole: No. You're clearly on the record as voting against all of those things, and today he will demonstrate once again that he's going to follow Dalton McGuinty's ambiguous leadership on this issue.

Your friend Monte Kwinter probably was told not to be here today because he is for this education tax credit. He's clearly on the record on that. I put to you a question, a straightforward question: is it not true that Mr Kwinter and Mr Bryant have both, in public forums, supported this funding of independent schools?

The Chair: Actually, we're here to discuss—

Interjections.

The Chair: Excuse me. I think we're here to discuss the subcommittee report. We have to realize that we have—hopefully we have hearings tomorrow. So I think we have to keep in mind that the clerk—they do have some work to do this afternoon in order to contact people, so I would hope that all members would keep this in mind.

With this I'll go to Mr Marchese.

Mr Marchese: I don't have any questions for the members. I don't. I just want to denounce Mr Hardeman and denounce the entire Conservative group that is in this room with the presentation of the motion they made today. It was well prepared. They clearly yesterday knew they had something else in mind and they proposed it here today.

I denounce it for many reasons. One, Mr Galt says, "If we can't get an understanding of this issue after 100 presenters, I'm not quite sure what we're doing." The matter is not whether or not 100 presenters will do it, because probably five might do it. That's not the point. The point is that this is a finance bill that people will comment on. I'm sure you'll have your people covering that angle as well as the other angle, which is to make sure you've got supporters for your position on the tax credit.

This is a big bill that you're obviously presenting to the public. But I suspect that the majority of the people want to come and speak to the tax credit solely. It isn't a matter that you won't be able to understand it by hearing two or three people; it is a matter of how many people you need to hear from who are going to tell you, "We're opposed to the tax credit." That's what it is all about. This is an opportunity not for you but for the public to respond.

The point we were making for the subcommittee report was that we wanted the maximum amount of time, from 9 o'clock in the morning till 9 o'clock in the evening, to permit people, and working people, to be able to come to those meetings. The point of having the meetings beyond 4:30, as you recommended, Mr Hardeman, is that a whole lot of people work. Many of those people who are working would love to come and won't be able to through the timelines you've established. That's the point. You're shutting them out. You know you're doing that. You're shutting out the majority of people who work. They work until 5, they work until 6 and many work until 7, so they won't be able to come to this committee. You know that.

You have also changed the process that has been quite clear for quite some time in this place. We have always divided the list according to number (4) in my subcommittee report, "That each party submit a prioritized list of witnesses and that the number of witnesses be divided amongst the three caucuses (25% each) with 25% of the witnesses being chosen by random ballot by the Chair and committee clerk." As far as I can recollect, that's what we've always done, and all of a sudden you're changing that.

I get the impression, Mr Hardeman, that all of a sudden you're concerned about the fact that your members will not have an equal say. But you're the government. You get your say all the time. Your government gets to say what it wants to tell us, the opposition, and what it wants to tell the public. You make it appear as if your poor members are not going to get their fair say. You get your fair say by being part of a caucus that is part of a government that decides which bills get

passed or not passed. You've got a majority, so you decide. Then you want to control that majority, even in these hearings. Do you see how totalitarian this whole process is?

Interjections.

The Chair: Directed at the Chair, please. Let's have some order.

Mr Hardeman: You're so far off in left field, you're not even in the ball game.

Mr Marchese: Is that right, Mr Hardeman? I am off in left field, not even in the ball game. You are in government. You are a member of government. You presented this bill. You make it appear like you poor boys over there didn't get a fair say in your caucuses. Now you want a fair say in these hearings by selecting who comes to these committees. You almost make it seem like you are a minority in this place that needs to have a voice. You're not. You're part of a majority. Don't forget it. You seem to be forgetting, by the way you're presenting it.

What you're doing is, you are prescribing and instructing this committee on the nature of its work. You have instructed us in prescribing the way it will work.

What are you shrugging for, Hardeman? Normally the subcommittee meets and we decide, and normally we hammer out our differences in subcommittees. By the end of it, we all come out and we present a report that committees usually accept. That's the way it has been working for the last—Ernie, I don't know where you've been, but you certainly haven't been around here.

I'm urging you to come back to what we've been doing in this place for so long. You have decided as a government to decide for the rest of us how these committee hearings will run.

What you've decided by your second page—not numbered, (d) and (e)—is that you're going to stack the hearings with your people and you're going to stack them on the basis of what you want us to hear, because if each one of your members has two and the NDP gets one and the Liberals get one, that means the majority of people who come to the hearings will take a position that supports your bill—mostly on the tax credit, and I suspect you'll have some people to speak to some of the finance issues connected to this bill.

1040

I denounce the fact that you have prescribed how these hearings will come about, I denounce the fact that you have prescribed the hearings according to the timelines you deem to be fair, and I denounce the fact that you have changed the process that we have all by and large agreed to in the last 11 years that I've been here and you have decided, for the first time, to give the members of the Conservative Party of this committee more of a say about who comes to these hearings. That is, in my view, wrong. We'll denounce it today and we'll denounce it for as long as we can throughout these whole hearings.

Mr Peter Kormos (Niagara Centre): Very briefly, I know that both the Liberal representatives on the committee and the New Democratic Party representatives on

the committee who participated in the subcommittee process supported the subcommittee's recommendations. Clearly—and that was anticipated, quite frankly, during the course of the subcommittee meeting—the government had no interest in the subcommittee process. The telegraphing of that was loud and clear to all who were there, and it's made transparent by virtue of the motion that's been prepared, which contradicts virtually everything the subcommittee proposed.

One of the other more interesting things is the fact that opposition members, Liberal and New Democratic Party members, put to Mr Hardeman during that subcommittee meeting the question, "What is your agenda here? What have you got in mind? Surely you've got something in mind, because we understand, we can read what you're telegraphing to us with respect to your responses to the proposals being made by opposition members during the subcommittee hearing." He clearly had something in mind and, with all due respect, he was less than candid at that subcommittee hearing. I find that a very regrettable instance. I can say that because I was here, along with my colleague Rosario Marchese, who is a member of that subcommittee who pushed for full hearings and pushed for meeting times and places that would accommodate as many of the hundreds, indeed thousands, of people who want to participate in this public process as possible.

This isn't about parties having their say. This is about the public having its say. It's about people. It's about voters and non-voters, about young people and parents and grandparents across this province, being able to participate in the committee process. I can tell you that over the course of the 13 years I've been here now, there have been many moments in which I've felt cynicism and displeasure about the committee process, but I've never felt more cynical and more betrayed than I do now. Clearly the government regards these hearings as a sham.

Take a look at the advertisement that's proposed to be put in the newspapers referring only to Bill 45, the Responsible Choices for Growth and Accountability Act. There is no opportunity there whatsoever for people reading that advertisement to be made specifically aware that it's the private school funding with public tax dollars that is the critical part of this budget, that that is what has generated the concern about the inadequacy of these public hearings. That advertisement in itself and the manner in which it's worded is a ruse, is a scam, is a sham. Quite frankly, we predicted that what is going to happen, and it is going to happen, is that this government is going to use their power to hand-pick presenters during that compressed period of time, one that will be addressing the broad and various issues contained in that budget bill, Bill 45. The government will do everything it can to distract people and deflect attention away from the funding of private schools with public tax dollars and the gutting of public education as a result of that.

Look, St Catharines, June 8: the government wasn't even prepared to spill the beans on the fact that it had booked the Holiday Inn. Interestingly, the St Catharines Standard found out about that on its own and was able to

publish that venue as of today. This government wasn't even prepared to acknowledge that the Holiday Inn had already been booked so people would have some sense of where the hearings are.

Look how the government wants to advertise these hearings—only in the cities in which the hearings are being held. Four cities: St Catharines, London, Ottawa, Sudbury. That means this government is scorning and mocking the people of, let's say in the north, Timmins, North Bay, Sault Ste Marie, Thunder Bay, Kenora, Cochrane; the list could go on and on and on. I don't know whether you know this, Chair, but I've spent enough time in northern Ontario to know that the people in Timmins don't read the Sudbury Star; they read the Timmins newspaper. The people in Kenora don't read the Sudbury Star; they read the Kenora newspaper. It is an incredible insult to the people of those northern communities that they are even being denied notice of this incredibly important hearing that's to be taking place in Sudbury.

The same can be said about Ottawa, because you know as well as I do that the Ottawa Citizen or the Ottawa Sun is not the daily paper being read by the people in Cornwall or Kingston or Pembroke or any number of those communities in eastern Ontario that this government purports to be accommodating by virtue of the Ottawa one-day session. London, same deal. The direction is very clear. There is going to be no notice to the people of Windsor, no notice to the people of Sarnia, no notice to the people of Delhi or Tillsonburg, no notice to the people of Kitchener-Waterloo. Those people are going to be outraged. This is a recipe for disaster.

You've now compressed the time frames in which the committee is going to sit. What's this break down to? This breaks down to half a dozen submissions a day. Is that what it breaks down to? I'm telling you, Chair, you'd better be prepared, because I know that there are hundreds, if not by now thousands, of people lined up, demanding participation in this public process in St Catharines. They know where it is now and they're going to be there. They're going to be parking themselves there as early as 8 am tomorrow morning, Friday, June 8, at the Holiday Inn in St Catharines. There are going to be people from Hamilton, across Niagara region and, quite frankly, beyond.

I'm telling you, Chair, you—not you, because you are impartial; you sit merely as the Chair. But you're creating a recipe for disaster here. I don't want to sound negative, but I'm telling you, you are risking—

Interjection.

Mr Kormos: Mr Spina, you laugh. You are risking some awful tumultuous public events. There are going to be incredibly large numbers of very angry people, rightly angry. All I can say to you is I hope that you've made adequate preparations to safeguard everybody. I'm telling you that I hope you've made adequate preparations to safeguard everybody, because you are concocting a recipe for some really palpable anger.

Mr Spina: On a point of order, Mr Speaker: Is this a threat from the member to the personal security of the

members and people of this committee and of the Legislative Assembly? Because that's the way I am interpreting it.

The Chair: I find that type of talk is not really conducive to what we are supposed to be talking about here this morning. It's certainly off the subject.

While I have the microphone on, Mr Kormos, I would inform you that the St Catharines newspapers did contact my office yesterday. They were informed that the meetings were to be held, hopefully, at the Holiday Inn. However, the room had not been booked at that particular point in time.

I would also like to make the record very straight, Mr Kormos, that I, as Chair, will try to be as objective and fair as I possibly can. I think my record will show that. However, my job is to maintain decorum and order, and I will guarantee you that decorum and order will be maintained throughout the entire consultation process. I will guarantee you that. Now, if you want to short-circuit people from making presentations in front of this committee, that's your option. But as Chairman of this committee, I will maintain order and decorum. I want to be on the record.

Mr Phillips.

1050

Mr Kormos: No, I'm not finished yet, Chair.

The Chair: OK.

Mr Kormos: Please, I'm speaking as of right. Let's make that perfectly clear, Chair—as of right—and nothing you think about what I'm saying is going to impact on my right to speak here and now.

I'm telling you that I find your comment about the booking of the Holiday Inn rather peculiar, because I telephoned them yesterday morning and I determined that yes, indeed, the government had booked the ballroom at the Holiday Inn. I canvassed several of the hotel convention venues in St Catharines, simply one at a time, to see who had had a room booked by the government of Ontario. The Holiday Inn was courteous enough to acknowledge it was booked, and then some wag tipped off the St Catharines Standard. I for the life of me can't imagine who that would be. In any event, it's interesting. I hope the Chair has better sources and better links of information, because the government indeed had booked that room. Again, my contact with the Holiday Inn confirmed that early yesterday.

But I'm telling you, regardless of what Mr Spina wants to reflect on and regardless of the Chair's macho display of bravado, I'm telling you that you're going to have committee rooms with hundreds, indeed thousands, of people in them who are going to be outraged. I'm telling you that New Democrats share that outrage, understand the anger and the sense of betrayal of people out there across this province, and I'm telling you that New Democrats will be standing with taxpayers, voters and residents of this community of Ontario. I'm telling you, Chair, that when those people seek opportunities to express their concern and their outrage at this government, New Democrats will be standing with those

people, protecting their right to express that outrage, that indignation and that sense of betrayal.

The Chair: Mr Phillips.

Mr Phillips: I think we all acknowledge that the debate at the hearings will be around the extending of funding to private religious schools. I think all of us would acknowledge it did come straight out of the blue. When we first looked at the budget, that's what jumped out, and it was a complete surprise to us. I do think if any of the members on the committee choose to read the brief that the Ontario government presented to the United Nations just recently, within months, it argued strenuously on the other side of this issue and made some very telling points, in my mind. I've quoted them in the House. They are exactly as I feel about the extension. So the government is on record 180 degrees different than this proposal, with very, very strong language. Some of the members who represent rural communities may want to read that, because it's got very strong language around the impact on rural communities.

I don't think anyone on the committee can deny that this came as quite a surprise and quite out of the blue. I think it will fundamentally impact education in Ontario in a very substantive way. I believe that, and the government's own brief in response to the United Nations said that. It made reference to significantly undermining public education. So no one can deny the importance of this issue. In my mind it has immense implications. I realize there are strong views on both sides of it. I said in the Legislature I had a good discussion with the leadership in the Jewish community and I expressed my view on it. They obviously had their view on it. But in my mind, this will dramatically fragment our public education system and will fundamentally change it.

My point is this: I don't think anybody on this committee will deny—maybe they will, but I think it would be wrong and I think the government's already said—this is huge. This, for all of us, will reshape—and it will not happen today or tomorrow, but in five years it will be quite different, and in 10 years, dramatically different—public education, and in a way that I personally think is very destructive. Others have different views. But the point is, here we are changing what Ontario has developed for 100 years. I really think that if you look down the road on this, it's fundamental.

I realize that when you're in government, one of your jobs, I guess, is to help get these bills through with a minimum of fuss. But I think on this one, firstly, the public are just becoming aware of the implications of this. The ones who know the implications of this are the ones who perhaps already have their young people in these schools or are associated with them. They know the benefits, but the rest of people are just beginning, I think, to appreciate the other side of it. I know that the plan is to get this thing through before they wake up. It's ironic, in many respects, that we start hearings tomorrow, and we haven't even told people who are going to appear tomorrow that they will come; we've got to do that sometime this afternoon. But all of this was planned by the govern-

ment so that the hearings start literally within hours of this committee making a decision.

I would just urge the government committee members to step back a little bit, if you believe this is as important as it is. By the way, I gather this does not really become a financial matter until you're filing your tax returns for the year 2002, which means 2003 is when the financial implications begin to flow. So there can be no reason why we've got to get this done, other than for political expediency.

It was an usual subcommittee. Normally, the subcommittee members try to find out, "OK, government, what do you want to do and let's see if we can accommodate it?" But the government subcommittee members, even when we asked, "What's your opinion on it?" had no opinion. It was just, "I'm not going to vote for what you people are doing, but I won't tell you what I want to do." It was very unusual.

I understand in a few minutes, Mr Chair, you'll call the vote. The government members will vote in favour, the opposition will vote against it, and the government will have its way. But I think people who would like to present will be interested to know that government members weren't prepared to extend the time. Mr Kormos mentioned the ad. You have to be kind of an insider to realize that this is a hearing about tax credits to private and religious schools, because the ad will say nothing about it.

The government, for the first time ever on this committee, has decided it's going to stack the witnesses so that they can have a majority of the witnesses. It frankly is a mistake, because the public have concerns very much about the policy. When they see the process that's being used to implement the policy, I think they can get doubly angry.

Mr Galt: I was listening very carefully to Mr Kormos and also to Mr Phillips. I see the proposal before us. If there's anything wrong with the proposal before us, it's in excess of 44 hours. I think it's very, very generous. Maybe we should be reducing it, rather than talking about extending it.

I just can't believe what I'm hearing coming across from them, particularly from their performance and from what went on in the House the other day. When it comes to, in their words, "stacking the witnesses," I have some real difficulty with that, because in the past it's been a third, a third and a third, yet the government side represents over 50% of the members in the Legislature. Surely to goodness, we, as members, as backbenchers, should have the opportunity to select and ask for more of the witnesses coming forward. It's been very, very wrong in the past. I see this as a balance and the way it should have been right from the beginning.

I think the NDP would be very, very generous and very interested in this happening, particularly when at the beginning of this session they didn't have party status. They have since been recognized as having party status, so I think they would be very, very supportive of moving in this direction.

Mr O'Toole: We have had considerable discussion. I would like you to put the question, please.

The Chair: I think, Mr O'Toole, I'm not prepared at this point in time to put the question. I think Mr Hardeman is next on the list.

Mr O'Toole: I put the question and you have to put the question, if you check with your clerk.

1100

The Chair: No. I think, Mr O'Toole, it's up to the Chair to decide whether there's been enough debate on the subject matter. At this point in time, I feel there's more we probably should discuss, because there are still a few outstanding issues that we have not discussed.

I'll go on to the next speaker, Mr Hardeman.

Mr Hardeman: Thank you very much, Mr Chairman. I agree with my colleague that we've had considerable debate about the substance of what is here.

I'd just like to correct for the record a couple of points that were made relating to the subcommittee meeting and the implications from across the floor about what was or wasn't said, what was or wasn't done. I think I made it quite clear during subcommittee deliberations that I disagreed with the opposition's, positions which appeared not to be directed to good public hearings, to effective and efficient public hearings, but more to get a view presented that was not necessarily a broad section of the population, but their section of the population to be heard.

I think it was mentioned that most of the debate so far has been about the issue of how the presenters will be selected. It was mentioned that this came out of the blue. Well, the committee and you, Mr Chairman, will be aware that was exactly the item that I discussed with the committee, that the government thinks it's appropriate that all members on the committee have input into the type of information that will be put forward to the committee so we can get a broad-based view of the public's perception or the public's interpretation of what the legislation says and what the legislation will do. I think it would be unparliamentary to suggest that someone was telling less than the truth, so I won't do that, but the comments made by Mr Kormos are definitely a long way from the facts, particularly being made by Mr Kormos, who was not at the subcommittee meeting where these discussions took place. I take exception to his making such statements before the committee.

I think it's also important to recognize that, in my opinion—and I'm sure that the members opposite view this differently—the public hearings are to hear what the public has to say and the selection is to make sure we get as many different views or as much information as one can gather about the issue, to help the committee and, in turn, to help government put forward the best possible legislation for the people of this province. So it would seem to me that allowing the selection to be much broader based than what it has been in the past will do more of that to make sure that what each presenter is bringing forward is reflective of as many different views as we possibly could find.

This is not a program to see how many people, individuals or parties we can bring in to speak to their view. I really think this selection process takes away from a public hearing if you've already decided that the people are going to come forward with the same view because the party has decided that's the way it should be, because you don't have a representative sample of presenters. With this proposal that is before us, we will hear from a much broader base of public presenters and different views on the whole budget bill.

I also point out, and I'm not disagreeing with the opposition on the issue, that it would appear at this point in time that the issue in the budget bill that's going to garner the largest number of presenters will be the fairness in education tax credit—or the tax credit for parental choice—but that's not to say there's nothing else in the budget bill that people may be wanting to make presentations on. So I think it's very important that we do have a broad base of selection. It would be unfair to the people of this province if, through the process that we've put in place here, all that's going to be discussed in this important budget bill is one particular issue. I think we're going out to hear from the people. We should hear what the people have to say.

I think it's so important that it is a process to hear what the people have to say, not for the members of the committee to talk to the people and what they think is good or bad or is important in the bill. It's important that we start off with the vision of going out to consult with the public and let's hear what a cross-section of the public has to say. I think that's one of the most important parts of this whole process.

I have had the opportunity to serve on a number of different committees since I've been at Queen's Park, going through committee hearings. I find many times that the selection of the presenters is done based on what the political makeup of the committee wants to hear, as opposed to what we, all members of the Legislature, on behalf of the Legislature want to hear from the public, that we're using it for political purposes as opposed to improving legislation and of course informing the public about what is in the legislation. Committee members have their opportunity to debate here in committee and they have their opportunity to debate the issue in the Legislature. These public hearings are for the benefit of the public to speak, and as I said earlier, we need to make sure that we have as broad a base of the public as we can possibly get.

I think the proposal that we've put before the committee is fair. Of the time that has been set aside for the hearing process, we're trying to make the best possible use of all the time that's available, recognizing that we do have the time frame, that we must be completed at a certain time. In our proposal we have shortened the presentation time, as was mentioned earlier, to make sure that we can get in as many people as possible in that time to be heard. This takes us where we need to go to get as much as we can out of the public consultation process.

I would also like to point out the need to move along in the committee to make sure that of the limited time available, we give the staff as much of that time that's available to have the arrangements for the hearings that will start tomorrow morning in St Catharines. Obviously, the longer we discuss and use the time, the less time that will be available for presenters, who will be asked to present tomorrow, for getting ready as to what their views are and how they will present them to us.

Mr Chairman, I know you ruled not too long ago that you thought more debate was necessary, but I believe we have a good motion before us. I would suggest that we put the question because I think everyone here on the committee has had an opportunity to speak to the motion. I would at this point suggest that we put the question so we can move along.

The Chair: Mr Hardeman, I may take your advice after I hear from the next speaker listed on my list.

1110

Mr Marchese: I was prepared to vote because I was exhausted. After listening to Hardeman I am emotionally drained. But after M. Galt and M. Hardeman spoke, it's so hard to just keep your mouth shut and move on. It was interesting. Mr Hardeman finishes his remarks and then he says, "Now it's time to end debate."

First of all, it was quite clear, Mr Hardeman, yesterday in subcommittee that you had no interest in what we, as opposition members, had to say. It was obvious you had your own agenda.

Mr Hardeman: To you. It wasn't to me.

Mr Marchese: It may not have been apparent to you, I understand that, but it was apparent to the both of us on this side.

Mr Hardeman: That was your perception.

Mr Marchese: Sanity can be a very difficult thing.

I understood yesterday that you were going to present something this morning that had nothing to do with what we had discussed in subcommittee. I knew that. Gerry Phillips of the Liberals knew that. We were just waiting in anticipation of this report. For the record, I just wanted to let people know.

Second, Mr Galt, sometimes it is better to be short in one's remarks or even not say anything. I think it is better. You're saying that this is generous to us and that we should, as opposition parties, particularly the NDP, accept the crumbs that you throw us. It's not smart. It's just not very intelligent to say things like that because then you provoke the other side. When you say, "We should perhaps reduce, not extend, the hearings," again, you're provoking. When you say that the poor back-benchers need to have their say and that this is balanced, again, by virtue of being government all of you have a big say. Then to come to the committee hearings and decide that you need more of a say is just shameful on your part, shameful on all of you.

The tables of course will turn. Someday you'll be on the other side and you'll have to live with some of these, in my view, dumb procedural motions that you're presenting. When Mr Hardeman says, "It's an opportunity

for the public to be heard," I agree with him. That's what I said in my remarks when you were not here earlier on. You stepped out for a little bit and came back. I'm saying this is not for us, it is for the public. When you say, "We should limit it even more," I'm saying no. The public needs to have a say and wants to have a say. Now you've curtailed the number of hours that we proposed in order to give working people an opportunity to come after 4:30. Those who work won't be able to come to the meeting. I think you understand that. If they're working somewhere—we are working here as members, but other people work elsewhere—they won't be able to get out of work before 4:30. You certainly must agree with me on that.

Mr Hardeman says it is for the public. He's right. I agree with him. We were allowing, as opposition parties, time for people to be heard and you guys are limiting it. What you're also doing is stacking the deck. You're stacking it in the way—

Mr Galt: No.

Mr Marchese: Why do you feel so offended by it, Doug? Listen to the logic of it. Each one of you guys want to be able to select two people and you want the opposition to select one. Doesn't this sound to you like—I know you're intelligent; you're a doctor for God's sake—stacking the deck, versus the traditional way of giving each party a third—

Mr Galt: I think the deck got stacked when we gave you party status.

Mr Marchese: I understand. I genuflect in front of you for the kindness you have given us, that you've given us status. How many times can one thank you? We thank you, but, please, don't just give us crumbs and say, "Because we give you that, when we come to these hearings all we're going to give you is one appointment because each one of us needs two for balance purposes." Please.

I've denounced what you are doing, denounced the fact that you've changed the subcommittee process, denounced that you're prescribing it in a way that I haven't seen in the last 11 years that I've been here, denounced the fact that we had proposed that we would have a five-minute response, as opposition parties, to your minister coming in and then you come in saying, "The Minister of Finance will make a presentation to the committee and answer questions on Monday, June 11, for 30 minutes, followed by a technical briefing," which we didn't request but presumably you obviously feel the need to give us a technical briefing. We proposed a five-minute response, as opposition parties. You took that out.

Clearly, as my colleague Mr Kormos pointed out, the text of the advertisement will simply say, "Bill 45, Responsible Choices for Growth and Accountability Act," when you know that the vast majority of people who come to these hearings will want to speak to a component of that bill which is your desire to give public dollars to private schools. You wanted to be sure you prescribed how it was out so that the public has no sense of what it is they should be talking about.

Then you prescribe it further by your number 7, which says, "Only in those communities where we're going will we advertise." No one else should know because no one else is interested, but just in those cities. Again, you preclude the fact that many across Ontario, other than those cities, will want to have a say.

I denounce your entire approach to this. I believe it's wrong-headed. I believe you're making a mistake, even for yourselves. I can't protect you from yourselves, but you're making a political mistake. I know with the arrogance that is typical of people who are in power, you don't believe it, but you're making a serious mistake. That's it. I'm ready to oppose it on a recorded vote.

The Chair: I have no other speakers listed, so I will put the question on Mr Hardeman's motion. He has already read the motion into the record and Mr Marchese has requested a recorded vote.

Ayes

Galt, Hardeman, O'Toole, Spina.

Nays

Marchese, Phillips.

The Chair: The motion is carried.

This meeting will reconvene tomorrow morning at 10 o'clock at the Holiday Inn, 2 North Service Road, St Catharines, Ontario.

Mr Hardeman: Mr Chairman, I don't know whether it's required—we'll take your direction—but the com-

mittee is scheduled to meet again this afternoon and I would move that we adjourn the meeting until tomorrow morning.

The Chair: That's what I read into the record.

Mr Galt: Do you have travel arrangements set up? Is there any coordination? Can that be shared with us at this point?

The Chair: We'll make sure that each caucus receives the travel arrangements some time today.

Clerk of the Committee (Ms Susan Sourial): There will be a bus leaving from Queen's Park tomorrow morning at 7:30.

Mr Phillips: Do I have to sit in the back?

The Chair: That's your choice. Any other questions? If not, we're adjourned until—

Mr O'Toole: I have a question. What is the scheduled or expected time that that bus will return to Queen's Park? I have an appointment in my riding tomorrow evening at 7 and my riding is Durham, which on a Friday evening is about two hours from here. Do you have any idea what time it will be back here?

Clerk of the Committee: The hearings finish at 4:30. I imagine the bus will leave St Catharines between 4:30 and 5 and be back here, depending on traffic, around 7, I would think.

Mr O'Toole: So I can go myself. I'll let you know this afternoon.

The Chair: We are now adjourned until tomorrow morning.

The committee adjourned at 1118.

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Official Report of Debates (Hansard)

Friday 8 June 2001

Journal des débats (Hansard)

Vendredi 8 juin 2001

Standing committee on finance and economic affairs

Responsible Choices for Growth
and Accountability Act
(2001 Budget), 2001

Comité permanent des finances et des affaires économiques

Loi de 2001
sur des choix réfléchis
favorisant la croissance
et la responsabilisation
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Chair: Marcel Beaubien
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LEGISLATIVE ASSEMBLY OF ONTARIO

STANDING COMMITTEE ON
FINANCE AND ECONOMIC AFFAIRS

Friday 8 June 2001

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

COMITÉ PERMANENT DES FINANCES
ET DES AFFAIRES ÉCONOMIQUES

Vendredi 8 juin 2001

The committee met at 0959 in the Holiday Inn, St Catharines.

RESPONSIBLE CHOICES FOR GROWTH
AND ACCOUNTABILITY ACT
(2001 BUDGET), 2001

LOI DE 2001

SUR DES CHOIX RÉFLÉCHIS
FAVORISANT LA CROISSANCE
ET LA RESPONSABILISATION
(BUDGET DE 2001)

Consideration of Bill 45, An Act to implement measures contained in the 2001 Budget and to amend various statutes / *Projet de loi 45, Loi mettant en oeuvre des mesures mentionnées dans le budget de 2001 et modifiant diverses lois.*

The Chair (Mr Marcel Beaubien): Good morning, everyone. This committee is meeting this morning on the first day of hearings on Bill 45, An Act to implement measures contained in the 2001 Budget and to amend various statutes. On behalf of the committee, welcome and good morning.

I would like also to point out to all the participants that we will be using the same rules during the committee hearings that we use in the House, in the Legislature. I would like to remind everyone of that also.

Mr Rosario Marchese (Trinity-Spadina): Mr Chair, before you begin, I ask for your indulgence. I want to say to you that you have been a very fair Chair. The motion that I want to introduce has nothing to do with the fairness of your chairing, because in subcommittee meetings I've seen how fair you have been.

But you also know that the rules have changed, because traditionally we have divided the lists that would be delegated to speak among the three parties. We made a request that this would continue as a normal rule. The government changed that. We asked for longer hearings so people could come after 4:30 and 5 o'clock so that people could be heard; the government refused that. The government then said it wasn't good enough that we divide the lists as we have done traditionally, that the government should have more power to be able to appoint who comes before this committee. The government as well decided that the advertisements, as you know, would only speak to the fact that Bill 45 would be reported in this manner: "Bill 45, Responsible Choices for

Growth and Accountability Act." That is the nature of the advertisement that would go out. It had nothing in it to report about the fact that the majority of the people here are coming to speak to public support for private schools that they're opposed to. People were outraged this morning. I wanted to bring this to your attention.

I want to read a motion that I hope the Conservative members will accept. I have copies here, if the clerk would like to pass them around. The motion reads:

Whereas there has been overwhelming public interest in Bill 45, which would undermine and jeopardize our public education system; and

Whereas more than 730 groups and individuals who asked to make presentations before this committee have been refused because the government did not allow enough time to hear them; and

Whereas more than 60 groups and individuals from the Hamilton-Niagara region submitted requests to the committee, but there is only time for 16 presentations today;

I move that this committee agrees to sit past 4:30 pm and until such time as all applicants from the Hamilton-Niagara region and/or those assembled here can be heard with respect to Bill 45.

That's my motion.

The Chair: Before we proceed on the—

Interruption.

The Chair: We're here to consider Bill 45. If there are going to be disruptions—we have a number of people. In Mr Marchese's motion he says that there's only time for 16 presentations, and if we continue at the rate we're going today, there may not be time for any presentations. I would strongly suggest—

Interruption.

The Chair: I mentioned at the start of the meeting that the same rules apply here as we have in the House. I do have different options. My choice would be that we have an opportunity to hear the presenters make their presentations this afternoon. However, I'm flexible. If we want to demonstrate and keep going all afternoon at the same rate we're going this morning, that's your choice.

Interruptions.

1010

The Chair: Thank you very much. Mr Marchese has put a motion on the floor. Everyone has a copy. Any discussion?

Mr Marchese: On a recorded vote, Mr Chair, in the event there is no discussion.

Mr Peter Kormos (Niagara Centre): Yes, there is discussion. Chair, look what has happened. People have a right to be heard with respect to this proposal. There are supporters of it. I understand that. They have a right to be heard. But so do the people who oppose it. The fact is that there are thousands of Ontarians who are going to be denied their right to be heard because this government has compressed committee hearings into only four days outside of Toronto; has started them at 10 rather than at 9, as suggested by the New Democrats; is ending them at 4 o'clock, rather than into the evenings, as suggested by opposition parties; and has restricted the four days in Toronto to mere afternoons.

Eighty days of hearings, nothing less, will in effect permit people like the folks here to be heard on this important matter, both the supporters of the government's proposal—and I recognize their right to be heard—but also the opponents, and I'm telling you the opponents of this proposal are being squeezed out. This is rigged; the fix is in. It's the government's problem. The government has created this scenario. You're the author of that discord. You're the author of that anger.

The Chair: I would like to remind all the members that if we're going to entertain a number of motions, I would suggest maybe we should be entertaining them at the end of the day so we can give the people here a chance to make their presentations.

Mr James J. Bradley (St Catharines): The difficulty with that, Mr Chair, is that if this committee decides it is going to permit more people and is going to extend its hours, the people may not be able to be notified, may not be able to be prepared for it. I think it would certainly be advantageous to have more people on the list than we have today. A list was submitted to us, I think you would be interested to know, Mr Chair, because you'd be aware of this, around the province. The regional municipality of Niagara, for instance, wanted an opportunity to make a presentation today; they were denied that opportunity because of the confines of the schedule of this committee.

I think the suggestion which has been made in the form of a motion is highly supportable, and I would hope the government members would join the opposition members in supporting that motion.

Mr Marchese: Mr Chair, we know the feelings are strong, on both sides, and we wanted to be able to increase the number of hours as a way of allowing people to be heard. We tried this with the government members the other day when we debated this in committee and subcommittee. Subcommittees normally make the rules and decide, in an orderly way, by agreement, how we will select the people, the number of hours, and normally we have all agreed. This time around, on this issue, the government decided to change the rules, and they did this by fiat, without consultation from the opposition parties. We were not able to change any of the rules that the government committee introduced to us.

You know that yesterday, when we debated this, they changed the rules so as to allow the government, which is able to introduce bills and laws—but to allow the govern-

ment, in committee even, to choose more of the delegates they want before this committee. That was wrong. If they had permitted—in spite of the limited hearings, which we opposed—the usual rules, the opposition parties would be able to select more of the people who would more clearly reflect the opposition to this bill. But they changed them in such a way that they behave as if they're an opposition party, and they're government and are able to select the people they want to come and speak in favour of their bill.

They need to understand that in changing the rules and in compressing hearings as they've done, you encourage these strong emotions on both sides of the debate. What we're telling the Conservative members here with such motions is that maybe they want to change it, perhaps not in the way we put it, to allow for more hearings so as to permit more people to speak. Maybe this is not adequate for them, but it gives them an opportunity to respond to these strong feelings. I hope one of the Conservative members will speak to that.

Mr Monte Kwinter (York Centre): I want to speak in support of this motion. We have a situation where there is an issue that is very highly charged, with opinions on both sides, and I think it's incumbent upon us as a committee to hear them. When you consider that even if the budget is approved the impact of the provisions that are really the subject of what everybody on this roster is talking about—the tax credit for independent schools—will not come into effect until the year 2003, there is no rush to have this resolved in four or five days.

You have heard the expression of people who are here, and not just here but outside this particular room, that there should be full discussion, that there should be an opportunity for people to present their views. That is the essence of our democracy and I think it really is something we should take into consideration.

Mr Dalton McGuinty (Leader of the Opposition): I want to speak in support of the motion that has been tabled. In addition to the reasons offered by my colleagues, putting public dollars into private schools represents a dramatic shift in Ontario's education policy. During the course of the last provincial campaign, and specifically during the leaders' debate, Mike Harris assured us that he would never do what he is now doing. More recently he sent me letters, as did the Minister of Education herself, assuring me he would never do what he now is about to do.

When Ontario considered extending funding to Catholic schools, there were 68 days of public committee hearings, which travelled around the province and carefully consulted Ontarians. This as well represents a dramatic departure from the traditional education policy in the province of Ontario, hence the tremendous interest that's visible here and I'm sure will be evident in every other of the very few communities this committee is going to visit.

In addition to the reasons already put forward by my colleagues, surely we've got a responsibility, collec-

tively, to allow people to speak to any education policy that in a substantive way dramatically departs from our history. That's exactly what this policy is. It was uninvited, it came unannounced, people were taken by surprise, and now they should have every reasonable opportunity to speak to this dramatic shift in education policy.

Mr Ernie Hardeman (Oxford): I would just point out that the resolution is in fact almost identical to the positions put forward by members of the opposition in a number of previous meetings. I would suggest that at the very least the motion is out of order. The committee has decided how we would approach the day's hearings, and that's a matter of record. I think it's very important that we hear from those people who have gone to a lot of trouble to be prepared for this morning's meeting. As we debate these types of resolutions, time goes on and we are able to hear fewer and fewer people. I don't think that's fair to the public who have gone to the trouble to be here. So I will not be supporting this resolution.

Mr Kormos: What I don't think is fair is that clearly some members of this committee don't want to sit past 4:30, don't want to extend their working day, when quite frankly there are a whole lot of folks here who have a lot longer working days than the members of this committee and who have gone to a lot of trouble to be here today in an effort to speak to this important matter. Mr Hardeman, the simple solution is to agree to this motion for this committee to sit as long as necessary here in St Catharines today, including tomorrow, so that these folks, all of them, can be heard on this incredibly important issue. That's the fair thing to do. It's also the democratic thing to do, and a fair and democratic person would support this motion.

1020

The Chair: If there is no further discussion, I will put the question. All those in favour?

Mr Marchese: On a recorded vote, Chair.

Ayes

Kwinter, Marchese, McGuinty.

Nays

Galt, Hardeman, Marland, O'Toole.

The Chair: The motion does not carry.

SMITHVILLE DISTRICT CHRISTIAN HIGH SCHOOL

The Chair: I would like to call our first presenter this morning, which is the Smithville District Christian High School, if you could please come forward. On behalf of the committee, welcome. Could you please state your name for the record.

Mr Tony Kamphuis: It's Tony Kamphuis. Before I even start with the comments I've prepared, I'd like to

apologize to you, Mr Chairman, and to the other members of the committee. I don't think that's the sort of public discourse I should be involved in, and I apologize for delaying the proceedings by getting involved in it.

But I am appreciative of the chance to get involved in this public hearing process. I appreciate the chance to speak today, and I thank you for that opportunity. It's kind of a special position, I think, to have the opportunity to be the first presenter, and that makes me especially glad to be able to make a strong statement of support of the proposed tax credit for supporters of independent schools.

Throughout the hearings, you are undoubtedly going to hear lots of different opinions regarding the costs or savings involved in this tax credit proposal. You're going to hear lots of opinions on either side about the relative quality or lack of quality of education provided in independent schools, like ours in Smithville and lots more. I don't want those issues to be the focus of what I say this morning, although I would like to address a few of them nearer the end of my presentation.

First and foremost, I would like to cut to the heart of matter. In the budget of May 9, the provincial government took a step forward for the education of all Ontario's students, and I want to encourage you to capture that vision, to recognize the importance of that move and to see through to completion the measures that are going to give that vision real flesh.

What I think you're witnessing here is the sometimes challenging, sometimes difficult process of seeing our education system in Ontario mature. We're a province of diversity—cultural, religious diversity. I see no shocked looks on the member's faces. Everybody realizes that. That's not a revelation. But in the face of that, you really have two choices. You can respond to a multicultural and diverse society by saying, "We support sort of a facile multiculturalism. Have your ethnic dances. Have your food fairs. That's great. But don't think that diversity should actually apply in areas that make a real impact, like education." Or instead, the idea is that in that case, everybody should have exactly the same experiences and be moulded by exactly the same forces. I don't agree that that's the right way to go in education in Ontario. I don't think education is like polyester pants where one size fits all. I think diversity is a positive virtue in a democratic society.

I'm sure it's no shock to you, and it certainly won't be after the hearings, that people have different opinions on education. They hold different views. When it comes to the question of how we approach the formal nurturing of our young people, you'll hear a diversity of opinions. You can respond to that diversity we see in Ontario by saying, "No, no. These students are like fresh meat that we're going to put through the same system and come out with relatively similar-shaped hamburgers," or you can say, "We're going to have a system that's richer than that."

Right now, the system previous to this tax credit initiative said, "Look. There's an approved list of two

choices for parents. You may send them to the public school and the way it approaches education or you may send them through the Catholic system and the way it approaches education. But if you even consider stepping outside of those two choices, if you think you should have some option in that, well, now, my friend, you're going to pay for that audacity."

The cost attached to disagreeing with those who are in support of those two systems is going to be hefty, and it's going to exclude working and middle-class families. That I don't think is a positive approach that befits a mature province.

I think the alternative approach is the more positive one, and it's the one that I see evidence of in this tax credit. It says, "Look, a democratic government depends on a citizenry that attains certain levels of ability and literacy, that has a certain ability in numeracy, that develops thinking skills, that is exposed and encouraged in developing civic-mindedness." This approach says, "We'll create a situation that helps make sure those are developed. But the exact approach taken, the perspective that influences the education that provides those—we'll allow for openness, we'll allow for some options in that regard."

To me, that approach is like a breath of fresh air. That's a visionary response. That's an approach to our diversity that displays a certain level of maturity, is forward-thinking. It's an approach I welcome.

Interruption.

The Chair: Order.

Mr Kamphuis: Members of this committee, I implore you to listen to the presentations over these next days as you consider the opinions people bring forward concerning the issue around the tax credit, but don't lose sight of what lies at the heart of the issue. It's stationed between an approach that says, "We have vision," and an approach that says, "We have great fear." The first says, "We trust the choices our citizens will make. We have confidence to allow people with differences to live out those differences in meaningful ways," and the other approach says, "No, we, the leaders of the existing system, have to maintain complete control. We're the most capable of making appropriate decisions for others in the important areas of everyone's lives. Chaos will reign if we let that control slip."

Now I'd like to address just a little further—

Interruption.

Mr Kamphuis: I'd like to address a little further the issue of parental choice. What this tax credit does—

The Chair: Order, please.

Mr Kamphuis: What this tax credit does is look over all the groups of stakeholders in our education system, and they're many. Then it recognizes parents in a more meaningful way than we've ever seen before. This government initiative is saying that the leadership of this province believes that, as a group, parents are the ones most likely to make decisions based genuinely on the interests of their own children.

Interruption.

The Chair: Order, please. I would ask the audience not to applaud.

Mr Kamphuis: I think they're exactly right in that regard. Parents have the interests of their children at heart and now we see a move to actually acknowledge their legitimate interests and to give some influence and meaning to that, and here we are.

I would like to take a couple of minutes to address some of the other issues that surround this question. I support Smithville—

Interruption.

The Chair: I'm sorry for the interruption, sir, but I guess you're going to have to do the best under the circumstances.

Mr Kamphuis: I understand. I appreciate that.

Mrs Margaret Marland (Mississauga South): On a point of order, Mr Chair: I am having difficulty hearing this deputation because of the interjections. I think, in fairness to both sides, we need to be able to hear the deputations from both sides without any interjections. Interjections are out of order in these committee hearings.

The Chair: I agree with you, Ms Marland. However, I know it's an issue that's charged on both sides. I will try to maintain some order. If I get absolutely no co-operation, then I'll have to deal with it, but I'm willing to put up with some disruption at this point in time. Hopefully we'll see fit that people should have the opportunity, whether they're one side of the issue or the other, to make their presentation. Thank you.

Go ahead, sir. Sorry.

Mr Kamphuis: That's OK.

I'm a supporter of Smithville District Christian High School. We offer the Ontario secondary school diploma. Every year we have an inspector from the ministry come to ensure that we're meeting the requirements of the ministry's guidelines and recommendations. Our school has done that in every year it's been in existence. It's its 20th graduating class this year, and it's graduated students who are wonderful citizens of Ontario, members of the public, people who are out there being productive citizens and contributing to our democratic mosaic.

1030

I'm proud of that contribution. I'm proud of the fact that we meet and exceed all of the requirements that are placed upon us by the government when it legitimately looks after the interests of education in this province. You will not find that concern among the independent school sector.

People say this is going to be an attack on the public school system. For most of my years of formal education, our family lived in an area that didn't have access to independent Christian schools. I attended the public school system. I have a deep love and respect for the public school system. I don't want to see anything that's going to harm that system or the Catholic system. These people educate the children of my neighbours, and I have to love my neighbours. That's a command I live by. It's not an option, it's a command; and so I look to promote their interests. I have no difficulty with that. What I

bristle at is the notion that just because I want to support those systems, therefore I'm a segregationist or I'm not allowed to participate in the education of my children in the way I see fit and to encourage the development of a school that sees that as an important thing.

Another point I'd like to address is that private schools are an elitist preserve of the wealthy. I know one day, Mr McGuinty, in the Legislative Assembly—I read the records—you repeated a single question, I think, 11 times. You were counting yourself. At the end of each statement you would refer to the independent schools as “elite schools like Upper Canada College.” I understand rhetorical strategies and all of that stuff, but not only was it, I think, gross misrepresentation of what independent schools really are like, but it hurt me as a member of the working middle class personally.

In response, just consider this: at our school we collect crushed pop cans, we collect Canadian Tire money and we collect Campbell's Soup labels. We used to collect cereal box tops, but that program's no longer in place. We sell cheese every month. We sell sausages every month. We sell chicken fingers every month. We sell plants and shrubs in the spring. We hold a softball tournament. We hold a volleyball tournament. We have a charity auction. And then at the end of the year we go around door to door among school supporters and ask for another contribution, please, so that we can meet our budgets, so that we can keep—

Interruption.

The Chair: Order, please.

Mr Kamphuis: —the cost of the tuition as low as possible, because when we have a tuition increase of \$150 or \$200, we end up with people who can't afford it any more, who cross the line.

I don't know what your definition of “elitist” is. I doubt if your definition of “elitist” is someone with a bag of crushed pop cans in their garage; it's just not likely. Our schools are supported by middle-class, working-class people. We have so many fundraisers actually that a friend of mine said to me the other day that when they heard of a new fundraiser being introduced, they said, “Fundraising's becoming the F word of the new millennium around this place.” We laugh so we don't have to think about it too long.

My point's just this: if somebody says they're speaking on behalf of working-class people, they're speaking on behalf of the middle class and then opposes this tax credit, I think they're working with too narrow a view of who makes up the working classes and a pretty narrow view of who supports independent schools.

When people say, “No public funds for private schools,” I'm shocked at the fact that I can be so easily removed from the group called “the public.” I consider myself a member of the public. I think our family contributes to the public good. We're very involved in our local community in a whole host of ways. We love our local town. We love our local public and Catholic schools. We love our school too and we say let's have room for everybody.

Interruption.

Mr Kamphuis: I do.

The Chair: Order, please.

Mr Kamphuis: What about this, that every group is going to go ahead and start up its own schools? My friends, I think that really reflects a certain level of ignorance about what it takes to run a school. If you saw the thousands of volunteer hours a volunteer school board, hundreds of committees that run the school and the thousands of hours spent by volunteers, parents and grandparents alike, put in every year to keep the schools going, nobody's going to say, “Oh, it's so easy to start a public school.” I know you can fill out a one-page form and that can initiate the process, but that's not running the school yet. There's too much work, too much cost. Not only that, we haven't seen anything else. If people think that some partial funding of independent schools is going to start a whole range of new schooling options, what's the evidence? Has it happened elsewhere that this has taken place? If anybody brings these points forward—

Interruption.

The Chair: Order, please.

Mr Kamphuis: I think when people ask these questions of your committee over the weeks, it's perfectly legitimate for you to say, “Do you have any reason to believe that? Do you have any reason to believe this is going to destroy the public system? Has it happened elsewhere? Has it happened in other provinces of Canada?”

Then there's the charge that independent schools threaten the social fabric of our province. I think the notion that independent schools threaten our social fabric is just an insidious notion. There's no evidence to support it. I know my time may be getting short, so I'll address this quickly. First, these schools already exist. If they're a danger to the social fabric, shut them down. I don't believe they are and I see no move in that direction.

Recently, the United States Department of Education commissioned a study to see—this was their goal—how far private schools undermined civic values. Let me just quote from the result of that study. “Advancing public goals like integration, tolerance and a commitment to community does not require the direct operation of schools by the government, concluded Dr Green from the University of Texas. In fact, the evidence suggests”—

Interruption.

The Chair: Order, please.

Mr Kamphuis: I know. No matter what, be afraid of evidence. “In fact, the evidence suggests that private individuals left to their own devices are more successful in achieving these goals than is the government.”

Look at our own experience. Partial funding of independent schools in other provinces has not hurt their social fabric. The full funding of Catholic schools in our province has been a wonderful blessing. I have not noticed, and I don't know if anybody else has, an increase in intolerance when that took place. I don't believe there has been one. It has been a positive move for education in Ontario.

So I want to speak in support of this tax credit. We support a strong public system. We have a different idea of how our children should be educated. If other people feel threatened by that, I feel very sorry for them, because people who are secure in themselves and raised on a solid foundation aren't going to be afraid of engaging in democratic debate with people of different opinions.

Interruption.

The Chair: Excuse me. There are a few people who keep insisting on making comments while the presenter is making his presentation. If that continues, I will have you removed from the room. Go ahead, sir. Sorry.

Mr Kamphuis: I'll just make one concluding comment and then if people have—I think there's still a bit of time.

The Chair: You have approximately three minutes.

Mr Kamphuis: Three minutes? Then if there are any questions that committee members have, I'd be happy to address those.

I'd just like to encourage you once again to remember what lies at the heart of this question. This is a move that reflects some vision, some forward thinking that can improve education and include all students in Ontario in the system of education we have at present. Let's not let those afraid of change, afraid of taking on new challenges, dissuade us from this step. Maintain a clear vision, I encourage all of you. A move to an all-party consensus would be fantastic. Let's step forward confidently.

The Chair: Thank you very much. We have approximately one minute per caucus, and I'll start with the official opposition.

Mr McGuinty: Mr Kamphuis, I don't for a moment doubt your sincerity, but you said a number of things with which I take issue. You said—I'll paraphrase—you don't want to see any harm come to the public education system. You would understand, sir, that public education is on its knees today. Parents are losing confidence in public education. We have crowded classrooms. We have stressed-out teachers. We have an atmosphere that has been poisoned by politics. Forty-two per cent of our schools are now fundraising, and they're fundraising for essentials like textbooks. We've got 35,000 children at the elementary level alone on waiting lists for psychological assessments in order to better learn about their specific needs and how they might be met.

Mr Kamphuis: Our kids can't even get on that list, and we pay taxes.

The Chair: You've got 15 seconds remaining.

Mr McGuinty: I just want to impress upon you, sir, that 96% of Ontario children are attending public education. I'm against spending public dollars in private schools and I'm for beginning to repair the damage that's been caused by the last six years of this government to public education.

Interjection.

The Chair: Order, please, Mr Hudak.

Mr Kamphuis: But I received a letter from you—

Mr Bradley: You should be the last person to talk about that, Hudak.

The Chair: I'm sorry. We have used the time. I'll go to the third party.

1040

Mr Marchese: Tony, welcome. I appreciate your views, obviously. The view of New Democrats is that the public system accommodates, or ought to be accommodating, all of the needs of most of our children. If some people believe that somehow you can't fit in, then you make a choice to opt out. That's basically what we've been saying. We have no problem with people saying, "The public system does not address our needs in this way," and you make a choice to leave it. That's a choice you make, and we respect that.

Mr Kamphuis: But aren't you saying really, "We're going to set the rules of the game and then, if you can't play by our rules, then you're out"?

Mr Marchese: Yes, basically.

Mr Kamphuis: I resent the idea that a government bureaucracy or an educational elite knows better for my children than I do.

Mr Marchese: But this is generally a policy accepted by the majority of Ontarians. We work out our problems and our differences through the system. We have parental involvement where, if things are not met by the system, we go to the school, we go to the board and we attempt to address them and—

The Chair: Mr Marchese, we've run out of time.

Mr Marchese: —and if after that, it doesn't work and you opt out, that's the choice you make.

The Chair: The government side. Mr Hudak, you have one minute.

Hon Tim Hudak (Minister of Tourism, Culture and Recreation): Just two quick points. First, I want to congratulate Tony on his presentation today, staying very calm and making some excellent points here. I know you're not a professional speaker. There are a lot of average folks like yourself before the committee today, and I want to congratulate you for coming across quite well despite some interruptions from a very small but vocal minority in the crowd. So congratulations on your courage and your presentation today.

My second point I wanted to bring out is that I have eight independent schools in my riding of Erie-Lincoln. If you drive through the parking lot when a parent function is going on or a school weekend, an open house, you see average middle-class families driving average, modest cars. I really appreciate the point you brought out, that it was absolutely shameful—

The Chair: With that, Mr Hudak, we've run out of time—

Hon Mr Hudak: —in the House for Dalton McGuinty to categorize people in my riding as elitists.

The Chair: Mr Hudak, we've run out of time.

Hon Mr Hudak: I hope he'll take a chance to apologize today for that unfair characterization of the citizens of Erie-Lincoln.

The Chair: Mr Hudak, we've run out of time.

On behalf of the committee, thank you very much for your presentation here this morning.

HAMILTON-WENTWORTH
ELEMENTARY TEACHERS' LOCAL

HAMILTON-WENTWORTH COUNCIL OF
HOME AND SCHOOL ASSOCIATIONS

The Chair: Our next presenters this morning are representatives from the Elementary Teachers' Federation of Ontario, the Hamilton-Wentworth local. Could you please come forward? You have 20 minutes for your presentation. On behalf of the committee, welcome. Could you state your name for the record also, please.

Ms Kelly Hayes: I'm Kelly Hayes from the Hamilton-Wentworth Elementary Teachers' Local. This is Michelle McNabb from the Hamilton-Wentworth Home and School Association.

The Hamilton-Wentworth Elementary Teachers' Local represents more than 2,300 members who teach and work in more than 120 sites in the Hamilton-Wentworth area. We're a local of the Elementary Teachers' Federation of Ontario. HWETL works tirelessly to support and advance the cause of public education. It's amazing the level of opposition to Bill 45 among the teachers, parents and the general public—it's astounding, actually.

The Elementary Teachers' Federation of Ontario has three policies that were passed at our annual general meeting in 1998. The first is regarding charter schools: that the use of public funds or tax rebates for the support of charter schools be opposed; private schools: that the use of public funds or tax rebates for the support of private schools be opposed; and voucher education: that the development of any educational program based on the educational voucher concept be opposed.

I spoke to a parent last night who is considering sending her child to a private school. It was interesting to hear that her main concern with the public education system was neither the teachers nor the schools, but class sizes. Three years ago, a class in Hamilton-Wentworth "won"—and I use that term very loosely—a class size contest. We had the largest class in the province, a music class of 44 students. Last year, we had a French class of 40 students. Over the past five years, we've seen alarming kindergarten classes of 28, 29, 30, 31 and even 32 students. These class sizes are not proper learning environments for children. Can you imagine teaching 31 four-year-olds? How would you conduct a fire drill? The health and safety issues are frightening. Therefore, one would expect the government to look at these staggering statistics of class size and think, "You know what? We've got to fix this," and not just from a health and safety perspective but from a pedagogical perspective, a child-centred perspective and an excellence-in-learning perspective.

But it's really interesting because what seems to have happened is just the opposite. The government actually has fixed this problem, but instead of putting back the \$2 billion that has been removed from the public education system, they've created Bill 45. This will allow for a two-tier, inequitable education system, which seems to have been this government's goal all along. The \$300

million it will take of public money to fund the private system is money that could and should be used in our public schools, money that could and should be used to fund schools that are open to everyone.

The Hamilton-Wentworth Elementary Teachers' Local believes in and strives for public education that is a model of equity. Bill 45 will create nothing but inequity. Public money will be used to fund a system with little or no accountability, a system with no necessity to follow the Ontario curriculum, a system where not all students are welcome and a system where unqualified teachers are actually able to teach children. This kind of funding is unacceptable, particularly when we look at the drastic cuts this government has made to the current system this year, and I'll give you a few of those in Hamilton-Wentworth.

We have to remember also that the government has claimed over and over again that there won't be any cuts to the classroom. In Hamilton-Wentworth, programs such as family studies, design and technology, and guidance no longer exist. Library, special education and the arts have been cut to the bare bone. Lunchroom supervisors no longer exist, therefore taking away the ability for teachers to deliver interesting and diverse extracurricular activities. A moratorium has been placed on psych testing; therefore special-needs students are not getting the assistance they need and deserve. School closures are taking place; hence the breakup of community schools and communities.

It's really a brilliant strategy when you look at it, because when you look at all of those cuts, you think, "Well, no wonder people want to go to a private school system. Look at the decrepit system we have now that's for public children." But really, parents are not actually going to the private system because this system is decrepit. It's because they just don't believe in it—that's it. Parents in the public system are not changing to the private system not because they can't afford it but because they actually believe in a public system. They will fight for it. They will stand up for it. They believe in that system.

One school in the Hamilton-Wentworth that's called Lynden school is currently being scheduled for two multigrade classes this September. One class has 30 students in it; it's grades 1, 2 and 3. The other class also has 30 students and will house grades 3, 4 and 5. The board does not have the money to fund that school properly. Given the large class sizes, the rigorous curriculum and the lack of supports, how does any government actually expect students to learn to their full potential in this kind of environment? It'll be virtually impossible. The individual attention so desperately needed in the early grades will not exist at this school. As the children of Lynden school grow older, their parents will have to explain to them that the reason they did not get an appropriate and equitable education was because the government of the day valued the school on Hamilton Mountain, where the tuition fees are over \$13,000 a year, rather than valuing Lynden school, a public community school.

Teachers value and cherish a healthy public school system. We work day and night to ensure that our students are provided with an outstanding education. We believe in an education system where every child is valued, regardless of race, class, gender, sexuality, ability, religion, creed, family status or belief system. This respect and diversity is the cornerstone of public education. It's the foundation of a democratic society. Teachers' dedication to this never waivers.

Bill 45 will seriously jeopardize public education as we know it. Bill 45 is laying the groundwork for the government's ongoing agenda to drain the public education system and make way for private education. The crisis, as John Snobelen said, is being created right before our very eyes.

1050

Elementary teachers in Hamilton-Wentworth are opposed to a two-tier system. We are opposed to an education system that values some over others. We are opposed to using public money to support private education.

The public money used to fund Bill 45 could actually be used for several different things. It could buy lower class sizes for Lynden School; it could buy educational assistants' support for our kindergarten students; it could buy special education resources for those students with special needs; it could buy guidance counsellors for our middle school students struggling with the hard task of growing up; it could buy teacher-librarians for our students to learn research skills; and it could buy design and technology equipment to allow for students to develop an interest in the trades.

Or the public money could be used to fund Bill 45 and to further rip the heart out of the public education system.

Do we really have a choice?

I hope the parent I spoke to last night will not leave the public education system. I hope that after careful consideration, she will realize that the public education system is the best place for our children to learn, grow and become responsible, respectful citizens. The government can assist this parent in making her decision. A tax credit will not help her, but lower class sizes and better resources for her children will. It's simple.

We call on this committee to recommend that the education tax credit provision of Bill 45 be removed. That would be the responsible choice.

The Chair: Does that complete your presentation?

Ms Hayes: Michele will now speak.

Ms Michele McNabb: My name is Michele McNabb, and I'm president of the Hamilton-Wentworth Council of Home and School Associations. I very much appreciate the elementary teachers allowing me to share some of their time. I have just a brief letter that we have sent to Premier Harris that I will read to you.

"The members of the Ontario Federation of Home and School Associations," OFHSA, as we are known, "have been strong advocates and supporters of the public school system in Ontario for over 85 years. Our 16,000 members have worked in close partnership with educators, trustees

and politicians at the school, the school board, and the provincial level to make our public education system the best it can be.

"The members of OFHSA were frankly shocked to hear your government announce tax credits for parents who have decided to opt out of the public education system. We are still trying to understand how a government whose task it is to support the public education system could suggest such a plan. We believe that your announcement in the budget represents an enormous shift in public policy. We have heard no public debate about this issue, and have not seen any evidence that this is a move supported by the majority of citizens in Ontario.

"We understand that parents who have decided to send their children to private schools feel that they are penalized because they also have to pay taxes to support the public education system. But education is funded from the taxes collected from all citizens in Ontario, not just those who 'use' the service because they have children in schools. Parents who choose private education for their children certainly have the right to do so, but they must not be excused from their obligation to fund all public services provided through taxes. Other taxpayers who have no children in school are not excused from supporting education with their tax dollars, nor should they be. All citizens benefit from a strong public education system.

"We have heard the argument that this change will only cost the province \$300 million. Frankly, at a time when our schools are struggling to provide the level of service needed to our students, any reduction in support for our schools will be missed. But our real concern is not about the cost to the system in lost revenue, but about the message that your government is sending us about its commitment to public education.

"Providing an open, accessible, and excellent education system for all students in the province is one of the most important jobs of government. We have heard the rhetoric since your government was first elected that it is your goal to make education the best it can be, to provide equitable funding so that every school can provide the same high-quality program, and to make every school and school board accountable for its results. This tax break belies your commitment to those goals. It is a very public statement that your government supports private schools as a preferred option for Ontario students. This move says that your government is encouraging more people to exercise this option, to remove their children from the public system. OFHSA members are also concerned that public money will be used to support private schools that are not accountable to the public and that they're not held to the same standards as public schools.

"Our members were indeed shocked to hear you say that encouraging parents to send their children to private schools saves the province money. Such a comment certainly suggests that you are promoting private schooling. We are left wondering where your commitment is to public education.

"We have heard you say that you will never support a voucher system for public schools in Ontario. We see this

tax change moving down the road in that direction. Combined with the recent announcement about school choice for parents and knowing that we now have portable funding attached to each student, we are very concerned that this is exactly where your government is going. It would be a small leap from where your government is leading us to a complete voucher system for schools.

"The members of the Ontario Federation of Home and School Associations urge you to rethink this change in policy. We ask that you hold lengthy public consultations across the province with all taxpayers before moving forward with this policy. We ask that you remember that your government's obligation is to the public education system. We hold you accountable, not just for providing funding for public education, but also for promoting a climate in Ontario that says public education is the best option for all."

The Chair: Thank you very much. We have one minute per caucus, and I'll start with the NDP side. Mr Kormos.

Mr Kormos: I was speaking to a group of school custodians at the elementary school level last weekend, and they've told me that across the province there are public elementary schools where the custodian's closet, his or her storage closet, has already been depleted and was as of two weeks ago; depleted of all cleaning supplies. All you could see were the rings from where the metal containers of solvents and detergents and wax stripper and waxes used to sit on the wood shelves. I was shocked at that because they indicated it's been two weeks now since there has been use of those chemicals or detergents for cleaning the school, and there's no more for the balance of the school year, least of all the end-of-school-year major cleanup. Is this a common phenomenon?

Ms Hayes: I would say that was a common phenomenon in many schools in the Hamilton-Wentworth area, not only custodial supplies but school supplies. Parents are constantly buying school supplies for their own children. Schools are asking them, "Can you bring your own scissors? Can you bring your own pencils? Can you bring your own notebooks? Can you bring your own rulers? Can you bring your own pencil crayons?" School supplies are being bought either by parents or out of teachers' own pockets.

The Chair: Thank you very much. We've run out of time. Mr Hudak?

Hon Mr Hudak: I appreciate the presentations from the panel before us. I just wanted to get a couple of things on the record, because I know my colleagues want to speak as well.

First, one thing is that in addition to the tax credit for hard-working families to send their kids to independent schools, we saw an increase in this year's budget of \$360 million for public education, including increases to both the Niagara public and Niagara Catholic school boards here in this area, which has helped motivate two new public schools in my riding, one in Crystal Beach and

one in Beamsville, for those who choose to send their kids to the public school system.

I also wanted to add that this morning I was at a school event for two Christian schools here in St Catharines, where there were several hundred kids on the lawn, and teachers and parents. They wanted to send their thanks and their congratulations to the finance minister and the Mike Harris government for their support of that bill, as well as hundreds of people sending letters and petitions and e-mails to my office in Erie-Lincoln and encouraging all members of the committee to support the school tax credit for hard-working families to send their kids to independent schools.

The Chair: Thank you, Mr Hudak. You've run out of time. Mr McGuinty?

Ms Hayes: Sorry, am I able to respond to that?

The Chair: No. Not enough time, ma'am. I'm sorry.

Mr Kormos: Please respond.

Ms Hayes: I was going to say, then, since the government—

The Chair: No, I'm sorry, but I'm going to go to Mr McGuinty.

Mr McGuinty, please.

Mr McGuinty: Thank you very much for your presentation.

The government is arguing that this new voucher program will cost \$300 million, and that's based on a zero percentage increase in growth of enrolment in private schools. In fact, during the last six years, we've seen a growth in enrolment in private schools in excess of 20%.

Mike Harris has been kicking the stuffing out of public education for the last six years. It's no wonder, as you made mention earlier, that many parents are beginning to lose confidence in public education. I would suggest our responsibility now is to restore that confidence. We've put forward an alternative plan. Our calculations show that the government would actually spend at least \$500 million on this private school voucher program. We've got a plan for \$50 million less that would put a hard cap on classes from JK through to grade 3, a maximum of 20 students.

If there's one thing experts around the world tell us when it comes to bringing about positive education reform, they tell us, "Start at the beginning and give teachers more time to spend with their students." We believe that's a way to begin to restore confidence in public education as opposed to this government which has, as I say, knocked the stuffing out of education for six years. Now Mike Harris wants to nail a sign over the door of all public schools and the sign would read—

The Chair: I'm sorry, Mr McGuinty. We've run out of time.

Mr McGuinty: —"Abandon all hope, ye who enter here." We have a different plan.

The Chair: I must bring the presentation to an end. On behalf of the committee, thank you very much for your presentation this morning.

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ONTARIO CHRISTIAN HOME EDUCATORS CONNECTION

The Chair: The next presentation is from the Ontario Christian Home Educators Connection. Could you please come forward and state your name for the record, please..

Mr Jake Zwart: I'm Jake Zwart. I'm the president of the Ontario Christian Home Educators Connection. This is Brenda Rishea. She's a home-schooling mom and also on the board of OCHEC.

Just so you'll know a little bit about home schooling, I'll tell you who we are and who we represent. First of all, we're an organization whose most important task is to inform our membership on pertinent issues. This includes an annual convention for professional development for parents who teach their own children; keeping our membership informed on changes in the law; bringing curriculum vendors and home educators together; and maintaining a relationship with other home-school organizations. We have a formal and very fruitful relationship with HSLDA, the Home School Legal Defence Association. We publish a quarterly newsletter to keep our membership informed. We also maintain a network of support group members to give references to new home schoolers when they want to get connected within a local home-schooling community.

Home-educating families have access to a wide variety of curricula from diverse suppliers, from those who prepare curricula for the public, separate and private systems and those who prepare specifically for home-schooling families. Parents can tailor the course of study for their child's learning styles, the parents' teaching styles and the interest of the family. In some cases, the parents belong to a private umbrella school with home-schooling campuses. While being an additional cost, it also gives the child a diploma from that particular school.

We represent not only the home-schooling family that goes it alone, but also those who belong to the private umbrella schools. Just for the record, in the current education landscape of Ontario about 95% of students are public and separate, which are fully funded; 4% are private, by far the majority of which is religiously based; and about 1% is home education.

Just a quick review of education law regarding home and private schools: by law children are required to go to school between the ages of six and 16. However, they are excused if they are receiving satisfactory instruction at home or elsewhere. This law covers both ourselves as home schoolers and private schools. In the current education landscape, there are both fully funded public and separate school systems and the non-funded private and home school communities. A parent has full freedom under Ontario law to choose the system they desire, and we applaud that freedom of choice.

We like the current law in Ontario as regards home schooling and private school choices, not necessarily the

funding ones. However, the policy relating to the laws can certainly be improved.

Now I'd like to back up and define what education is. An education is a process of passing on the tools, both knowledge and wisdom, to other people. Specifically, it is youth in this case. As G.K. Chesterton has so appropriately said, "It is a process, not a course that can be taught."

Just a little side note here: I am also not in favour of a two-tier system; I'm actually in favour of a two-million-tier system, one tier for each child in Ontario.

The next question is, who has the primary interest in the education of children? It's quite clear parents have the primary interest in the education of their own children. This is well established under common law principle and is recognized by our legal system in the rulings they make. Based on this, the choice of education, location and philosophy should be made by the parents.

Who can best determine the requirements for Johnny, the student in the school system? Clearly, the people who are most familiar with the child are in the best position to determine what the child needs to best master the material he needs to know. This is obviously the team comprising the child's teacher and the child's parents in a typical school situation. Thus, the decision-making must be made at the classroom level as close to the student as possible.

With Ontario being a large province, the geographic differences alone make a common curriculum hard to deal with. People in large cities have very different experiences growing up as compared to a farming community or a northern community based on the tourism industry, logging or mining. Still, some from each community will have the desire to go on to post-secondary education. University entrance requirements will ensure that their community's education strives to meet that standard of excellence.

Now the state's interest in education: the state also an interest in the education of children. This is limited to ensuring that children grow up to be productive members of society, not a burden to society. Briefly, in the government's 21-step plan for educational excellence the second bullet in step 10 states: "The government will eliminate the institutional bias against home schooling. The Ministry of Education will facilitate home school parents' access to standard tests and other learning tools." We applaud the government on that.

The first item in that bullet is removing a bias against the home education community, and that would be very simple to obtain. When a school board is informed that a student is being home educated, the matter should stop there. There should be a presumption that satisfactory instruction is being provided, just as the legal system's guidelines are that a person is innocent until proven guilty.

In terms of access to standardized tests, we already have access to a large number of standardized tests. Making the current government standardized tests available is a welcome gesture, but the choice of whether

standardized tests should be taken by a child and which standardized test should be used needs to remain the decision of the parent. Since standardized tests tend to force teachers to teach to the test, ultimately the standardized test will force the curriculum upon the students. We resist this, should there be any indication the government would move in this direction.

Facilitating access to standardized learning tools is also welcomed by the home school community. In the current situation, parents who choose an alternative to the publicly funded school system pay twice for the education of their children. This financial burden is normally much heavier for parents who select the private school option than for those who select a home education option. Home-education parents tend to spend more time with their children rather than dollars for their children.

The current proposal the government is putting before us is positive in that it recognizes, first and foremost, that the parent is in the best place to select the particular means of education that best fits their family and their child's needs. It also recognizes the extra financial burden on parents.

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It does not remove any per-student funding from the publicly funded systems. Even in the publicly funded systems, some parents have decided that they need additional help for their children. This has, to some degree, been available for their children within the school system through special education programs. In other cases, parents spend time tutoring their children. And on still other occasions, they purchase tutoring services for their children.

What should be done? The current proposal from the government is very astute in that it recognizes that parents should be able to determine the educational choices for their children. A tax credit, by nature, means the lowest probability of government influence on these choices by the parents. The government must resist the temptation to put conditions on the school for the tax credit to be available. The current private school system is functioning very well and will continue to do so.

While the current tax credit proposal is for private schools, we applaud the government for recognizing the extra payment these parents give. It can easily be extended to the home education community to address the points the government has made in its 21-step plan. The following is a basic direction that can be extended to accommodate the home education community.

The scope for the expenses that lead to the educational tax credits should, first of all, include direct expenses incurred for the direction of the children. This would naturally include direct tuition fees but should also include curriculum, books and parent professional development fees. Although most home educators spend much less money on education than the private and public educational systems, additional costs are borne by the home education family, which include the additional wear and tear on the home, including the added costs of heat and hydro; being a one-income family so that the

mother can teach the children; the curriculum; the computers and other school tools; purchase of outside services to aid in the educational process, such as music lessons, language classes, art, phys ed tutoring etc.

All of these items above, except maybe the loss of a second income, are already being dealt with in a variety of ways in the tax system. Self-employed people are able to write off some of the costs of their home, the portion utilized by the business, as well as the costs associated with that business. Finally, the home education community, while caring very much for their children, also tend to have very firm convictions about what they want taught to their children. They insist on maintaining control of the educational process. If there is any hint that control will be taken from them through the introduction of this tax credit or otherwise, the home education community will resist that through a variety of means.

I attended a meeting last night in which many persons representing many various positions within the publicly funded systems expressed their concerns with the difficulties of that system. It was interesting listening to those concerns and how politics seems to drive the decisions being made. A tax credit system begins to address some of the issues that were made at that meeting.

Thank you very much. Now Brenda will give a second presentation here.

Ms Brenda Rishea: I have experienced all three types of schooling, the three basic categories: private secular, religious, and home education. Parents who send their children to private secular schools pay a much higher tuition fee than do parents attending private religion-based schools, which are generally non-profit. Home educators' expenses vary, depending on whether they purchase their materials new or used and whether they purchase the entire recommended program or just parts of it. All three sets of choices incur large expenses in the form of tuition, books, uniforms, transportation and more.

In the Halton region, where I live, the lowest tuition cost per family for religious schools is about \$5,000 per year—excluding books, uniforms and transportation—ranging to about \$12,000 per year for private secular schools.

Home educators can expect to spend at least \$300 to \$1,500 per year per student, depending on the type of curriculum they choose: for example, whether they use used books, new books, on-line learning, computer learning, distance education or correspondence courses.

Private secular school attendees often make sacrifices to be able to attend their schools. Elitism is not always the reason for attending a private school. Some are for special needs or special education of the learning-disabled student that the public schools can't or don't offer: for example, autism. Some are specialized curricula that lead to a specific result, such as the international baccalaureate program. Some are to maintain the cultural heritage of a group of people.

For many families in the religious schools, they must make enormous sacrifices in order to send their children

to the school of their choice. Many have to forgo annual vacations, drive very old vehicles, own only one car, buy second-hand clothes and uniforms, cut back the grocery budget, do not eat out in restaurants, do not send their children to extracurricular sports programs, give up personal luxuries such as orthodontic braces, piano lessons, dance classes, summer camp and much more.

Home schooling is not free of charge either. Home educators do not receive any subsidy for the purchase of school curricula, support materials, computer programs, physical education classes outside the home, resource materials or educational training of the parent-teacher. For every family who home schools, there is a different and unique reason for their choice. We have usually been denied access to our tax-funded public school resources and standardized testing as well as, until the recent past, necessary speech and physiotherapy. We make the same sacrifices and cutbacks for our children even though our expenses aren't necessarily as high as the private secular or religious school tuition.

School tax credits are a welcome and necessary change to the way education is funded in Ontario. This tax credit can be calculated in conjunction with other tax credits that might also take into consideration the number of other school age children being supported. There should be no discrimination against income. Otherwise, it would not be equitable. Tax credits are supposed to be available to all taxpayers, regardless of income level. A person earning over \$60,000 per year does not necessarily have more disposable income than someone earning far less.

Finally, tax credits would ensure that parents are financially responsible to direct their spending on education. Receipts could be provided to validate the spending. The scope of allowable expenses would include materials, courses, evaluation and training as related to the education of the child. It will provide relief to already overburdened parents trying to make ends meet and allowing them a little financial help with their choice in education.

The Chair: On behalf of the committee, thank you for your presentation. There's no time for questions.

ELEMENTARY TEACHERS' FEDERATION OF ONTARIO, NIAGARA LOCAL, DISTRICT SCHOOL BOARD OF NIAGARA

The Chair: Our next presentation is from the Elementary Teachers' Federation of Ontario, Niagara local. I would ask the presenter to come forward, please, and state your name for the record.

Mr Kormos: You almost lit a match in a pool of gasoline, Chair. Be careful.

The Chair: You know, I've always said I'm not perfect, Mr Kormos.

Mr Kormos: Perhaps we could remind people that there's coffee and tea up here. Make yourselves at home. There are cups and saucers.

The Chair: Thank you.

Mr Gary King: Good morning. My name is Gary King. I'm with the Elementary Teachers' Federation of Ontario, Niagara local. I bring with me my former history teacher the superintendent of education for the District School Board of Niagara. With your permission, he'd like to lead off. His name is—

Mr Eric Mitchinson: Eric Mitchinson.

The Chair: Go ahead, please.

Mr Mitchinson: I'm sorry that there aren't more members of the government at the table to hear this.

Mr Kormos: Perhaps we could adjourn for five minutes to get the government members in here.

The Chair: Could you please start with your presentation.

Mr Kormos: On a point of order, Mr Chair: It is rare enough that somebody gets to present to the committee. I'm not a member of the committee, nor is Mr Bradley, but surely the members of the committee could be here to hear these submissions. I don't care whether—

The Chair: Mr Kormos, I don't think that's a point of order.

Mr Kormos: Why are we having hearings if people aren't here to listen to these folks?

The Chair: Gentlemen, could you please start with your presentation. We are just eating your time.

Mrs Marland: Mr Chair, in fairness, everyone will get the time that was allotted to them. We have not been commenting about the fact that Mr McGuinty has been in the hall doing a press conference. Mr Marchese has asked that—

The Chair: Ms Marland, that's not a point of order.

Mr Marland: No. So why comment on where my members are?

Mr Kormos: Because the government members should listen to what these folks have to say.

The Chair: Gentlemen, start with your presentation, please.

Mr Mitchinson: I speak to you—I think I should clarify first—not only as the superintendent for the District School Board of Niagara, I also speak on behalf of the senior administration of that board. We had asked for an opportunity to speak today, did not get that opportunity and are very thankful to the elementary teachers' federation for allowing me this opportunity. I'll also speak to you as a former member of the Ontario Progressive Conservative Party. I was co-founder of the Ontario Progressive Conservative Party at the University of Waterloo. I say "former." I speak to you with a deep sense of betrayal today.

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I'm thankful for the opportunity to speak on this issue of tax credits for private schools. However, it does seem particularly odd that a matter of such great social significance is being addressed as an item in a provincial budget, rather than in another forum more fitting of the topic. This is an issue that deserves to stand alone as a matter for public debate, and perhaps even a plebiscite, as in Newfoundland, in order to determine the true will of the people of Ontario.

I would like to address both the economic and social aspects of the government proposal.

The government speaks of accountability for the public schools of Ontario. Teachers certified by Ontario must teach government-regulated curriculum to students, who must meet government achievement standards and, while doing so, be supervised directly by principals and supervisory officers who have been certified by Ontario and who are answerable to the government. The public boards must present a balanced budget to the government of Ontario and must prove that they have used their tax dollars in accordance with the government's expenditure controls. This is done so that the public schools are accountable to the people of Ontario.

Why, then, does the government now wish to abandon its belief in accountability by giving the common wealth—tax dollars—of the people of Ontario to private schools, where there are no similar requirements for accountability as exist with the public schools? Why the double standard? If this is done in the name of competition, shouldn't we at least be playing by the same rules?

All citizens have as one of the responsibilities of citizenship the duty to support the common good of the people, whether it be a system of health care or a system of public schools. The common wealth of the people must be dedicated to the common good of the people. Both those who collect and distribute our tax dollars and those who receive them must be accountable to the people of Ontario. I believe this, and I thought that my government did too.

Public education is the foundation stone of our modern democratic society in Ontario. Public schools take in all of our children, regardless of race, religion, ethnic background, economic or social circumstances, intellectual ability and physical health. Public schools teach those children that other systems can't or won't help. Within our means, we attempt to provide that essential element of a democratic society, equal opportunity, so that each student can have a chance to reach their potential.

This is done for not only the good of the individual but also the good of society as a whole. Equal opportunity is a necessity if society is to renew itself with each passing generation, thereby avoiding the inevitable stagnation, incompetence and corruption that comes with a rigid class structure where privilege, not ability, determines individual outcomes and our collective future.

In our public schools, children of diverse backgrounds learn not only life skills, but also how to play, work and live together. Public schools teach tolerance, understanding and acceptance. The public school system, open to all, is where diverse identities are being moulded into a single nation.

No society on earth has ever achieved peace and understanding by segregating its children on the basis of their religion or ethnic background. Sadly, there are far too many examples of segregation producing discord and disunity in the world today. Segregation emphasizes that which makes us different, not that which we have in

common, and does so in a way that implies that one is better than the other. The government's proposal today may not lead to disharmony tomorrow, but in time, perhaps a generation or two, it will ultimately lead to disharmony and the balkanization of Ontario society. This will be a greater threat to our national unity than we have ever faced before. From what I have seen and heard today, that process has already begun.

There is a middle ground. The District School Board of Niagara has successfully established an alternative public secondary school which recognizes the diversity within our nation. Eden secondary school has been able to satisfy a segment of our Christian community within the framework of an accountable public school system. I believe that Eden is a useful model for the government, if it does wish to recognize diversity while retaining the principle of accountability, and Eden proves that this can be done within the framework of a single public school system in Ontario. I invite the committee to come to Eden. Visit it, talk to the kids, the teachers and the parents, and see for yourself. It can work.

I invite you to visit all of our public schools and see how diversity can flourish within a single school system, while at the same time a new nation is being built on the principle of equal opportunity for all.

Mr King: My name is Gary King. I'm vice-president of the Elementary Teachers' Federation, Niagara local, here in the district of Niagara. I'd like to thank you for the opportunity to speak here today.

I'd like to begin by describing the special interest group that I represent. I represent some 1,900 elementary school teachers spread out in about 108 schools, stretching from one end of Fort Erie to Grimsby to Niagara-on-the-Lake to Wainfleet. More importantly, we represent some 30,000 elementary school students who are in our care each and every day during the school year, which according to my estimate is about 15,000 to 20,000 households in Niagara, all of whom are taxpayers and voters as well.

How is it that I feel I can speak for these individuals? Since the government announced Bill 45, we have been petitioning our members and, to date, in the last seven to eight school days, we have received 400 signatures from 44 different schools, and signatures pouring in on this petition against the bill increase each day.

More importantly, we have held a number of community forums on education here in Niagara. The most recent one was in early May in St Catharines. A previous one, virtually identical, was in Niagara Falls in the fall of last year. At those forums, we invited business people, community service people, people from the public sector, teachers, to be sure—a whole cross-section of people from the community, students included—to talk about issues surrounding education. They had some very interesting observations to make about the state of education in Ontario today.

By far the most consistent response on what might need to be improved talked about greater or more relevant supplies resources for school, more money resources

for special education, resources to recognize individual needs and differences, more money for education, better libraries, books that are current to our current curriculum, and something to do about large class sizes.

Their other comments revolved around things like, "There need to be better relations, co-operation and communications between teachers, boards and government, and greater respect for teachers and for the public education system," and, "Government does not understand education. Fewer quick fixes or political decisions and more long-term planning."

They also suggested that they were impressed by our ability to bring together a cross-section of the community to speak about these kinds of issues, because they felt that broad and dynamic viewpoints were shared. We heard from individuals, people said, who we had not normally spoken to. It was wonderful to get different perceptions from other people about the school system, and it broadened my opinion on the topic. They now know what's important in the education system. They understand better the stresses that we are under and they found the evening ever so energizing, and came away with a determination to do something about it.

These people are not special interest groups; they are the voters here in Niagara. They believe in publicly funded public education that is accessible to all, one that will inculcate the democratic and civic values that make our society work.

I'm here today to talk about two aspects of Bill 45, both the process and its purpose. The process or the background against which this piece of legislation is being brought forward is most interesting. I received a call, luckily, yesterday at 4:47 asking me to respond by 5 o'clock as to whether I'd be available for this session here today. Mercifully, there's a thing called e-mail, because I was on my way to organize a retirement party for some 150 elementary teachers, which involved over 730 guests.

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Once more the government is bringing forward some interesting legislation surrounding education in June, the very time when school boards, teachers and all those involved with education are very busy, with their heads down, trying to conclude their successful school year.

Against the background of this legislation, we here in Niagara have just been forced to make \$5.6 million in budget reductions, despite what's been said about increasing funding to school boards. Two of the casualties in those budget reductions were approximately \$750,000 for the social skills program that withdraws children from classrooms because they're having difficulty fitting in, and trains them or retrains them in isolated centres and gives them the skills they need to succeed and reintroduces them back into the classroom; another \$400,000 came from reductions to educational assistant time, the very people who are going to be helping those same children who need that help.

We did receive some additional money this year on our board. I am told approximately \$114 per student was

delivered to the board; however, \$77 of that will be eaten up by increased fuel and utilities costs.

Mr Mitchinson: Actually it was \$100 per student, but the government took away more grants from our board than they gave us. The net loss was in the neighbourhood of a \$2-million drop in grants, contrary to what Mr Hudak was saying.

Mr King: I want you to look across the street at some point today. I want you to look at the education centre, originally built by the Lincoln County Board of Education, and remark on what a wonderful building it is and how that building was put up without one nickel of debenture money. It was done through frugal business practices long before this government existed and long before all these changes came down. Not one nickel of loan money was needed to put that up. That is the kind of business practice that has existed both in the Lincoln County Board of Education and in Niagara South, the two predecessor boards of the District School Board of Niagara. It is the same kind of stuff that exists here today.

The process for this: in 1985, when full funding was extended to Roman Catholic schools, we had 68 days of hearings across the province. While I'm delighted to be here today to speak to you, I'm not sure that five days is truly respectful of the democratic process in which we supposedly all believe. A government that prides itself on accountability and on reflecting the wishes of the people: I'm not sure this process does much other than contradict it.

The purpose of this legislation, as far as I can see: on the surface, people are saying it is about choice and it should be the ability of people to make decisions in a free market background. The facts suggest that over the next few years upwards of \$3,500 will be made available to parents who wish to send their children to private schools, yet OISE recently conducted a survey that says only 26% of our population is truly in favour of this kind of thing.

Our fear is that this is the first step toward full funding for a variety of other kinds of education ventures or other kinds of education programs. But the pie we are being given for education right now seems to be getting smaller. If we continually slice it up, there won't be enough to feed anyone effectively. The projected cost of \$300 million, against a background of all the other cuts that have occurred in education over the last few years, is potentially staggering.

There is a political cost involved in this as well. I point out that just as recently as last month, the government made a clear reversal of its position. Michael Harris's personal claim to private schools would not be supported. Just over a month ago, Premier Harris stated that the government had no plan to introduce vouchers for private schools. To argue that this tax credit is not a voucher is truly deceitful and insults the intelligence of the voters here in Niagara and across the province. The government has no mandate to proceed with this thing as it stands.

I'm left with one of two conclusions: either this government is completely out of step and is poorly advised

and is going to have to live with the consequences of a decision if they decide to push ahead with this, or this is some cynical Machiavellian calculated gamble that flies in the face of everything I believe democracy stands for. I would ask the committee to seriously consider withdrawing this aspect of Bill 45 and dealing with this issue publicly across the province and in a manner that is worthy of our democratic process.

The Chair: On behalf of the committee, thank you very much for your presentation this morning. There is no time for questions.

ASSOCIATION OF CHRISTIAN SCHOOL TEACHERS AND SUPPORT STAFF

The Chair: I ask the next presenters to come forward, the Association of Christian School Teachers and Support Staff.

The Vice-Chair (Mr Doug Galt): Thank you very much for coming forward. We need to have your name for the record.

Mr Andrew Regnerus: My name is Andrew Regnerus; it is improperly spelled on the agenda for today. My position is assistant secretary with the Association of Christian School Teachers and Support Staff, a local professional association working for the last six or seven years representing teachers at Calvin Memorial Christian School and Beacon Christian High School.

Mr Chairman, members of the government and members of the opposition parties, first of all, I would like, on behalf of the Association of Christian School Teachers and Support Staff, to extend congratulations to the government for its courage to do the right thing with respect to equity in educational choice. We thank Mr Flaherty and Mr Harris for their leadership in addressing a longstanding injustice in our school system. We encourage them to stand up to their critics because justice demands it.

Speaking of justice, to deny public funding to faith-based schools is inconsistent with the recent UN declaration about which many have spoken. That indictment alone in our world community should compel all Ontarians to action in supporting the government's proposed legislation.

Some history, I think, is helpful. Our current public education system could be considered a denial of natural justice for Christian parents and teachers. Public schools at one point in time were Protestant Christian in nature, at the outset. Roman Catholic schools and their funding was the alternative. With growing religious plurality in Canada, the ongoing Christian character of the public schools became untenable.

Government could have supported equally schools of alternative faiths and philosophies, but until now there has been no move in that direction. Our mandate of tolerance, about which we've heard much, as society demands acknowledgement of religious and philosophical plurality, thereby making a Christian philosophy of

education in public schools not universally supported by the populace. Whether we have a cultural mosaic or a melting pot, it leaves no one faith as the guiding world view.

Some Christians, Jews and Muslims accept a neutral education and accept that religion or philosophy of teaching is a parental duty, to be done at home. We would challenge that notion. We would challenge that any philosophy of education, or outlook on life generally, can be neutral. Many Christians, Jews or Muslims either do not accept the notion that neutrality is possible, or do not accept neutrality as an appropriate model and therefore have established alternative schools.

A little bit about our schools and our teachers: the Association of Christian School Teachers and Support Staff is a group of professional educators that recognizes, in fact shares in, the right of parents to make the best education choice for their children. In our tradition, we are guided by a belief that every part of society is governed by a faith response, or a values response, if you will. That has been expressed succinctly as follows: "There is not one square inch of this world about which Christ does not say, 'This is mine.'" If you're not a Christian and you don't believe that, you could still say, "There is not one square inch of society for which our values don't contribute to the way we think about them." Education is one of those parts of society.

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The establishment of Christian schools is an expression of that belief, and such an expression has been made necessary by the dilution of Christian values in Ontario's population. That's not meant as a criticism. It's simply a fact that there are many competing values. Our province had Christian Protestant schools, but no longer does. Those who have kept a Christian character of education in private schools deserve full funding, but a tax credit is a compromise solution.

Our schools meet and exceed provincial standards, and they are well known for academic excellence. Quality education has been at Calvin Memorial Christian School for 40 years and at Beacon Christian High School for 30 years. That quality education has been provided to thousands of students. Third-generation students are now attending our schools. Our graduates do well in post-secondary education and become meaningful contributors to society in Ontario.

As our employer schools are unfunded, we as teachers share in the parental economic crunch by accepting salaries considerably lower than that of teachers in public schools and separate schools. In fact, our wage is about 20% lower than that of our funded counterparts. We as teachers also make a salary sacrifice.

Speaking of salaries and wages, our staff is representative of the school's supporting constituency. We are in no way among the elite private school supporters that all private schools are depicted as serving. Even so, the application of a proposed means test is unfair. Equal access to education is a justice issue, not an economic issue. Our choice to be separate is a fundamental justice

matter involving freedom of association and freedom of educational choice. We are asking that our supporting families have these basic freedoms respected financially.

A few words on tolerance: that same recognition of tolerance in a religiously pluralistic society also demands acknowledgement of faith-based schools in Ontario's provincial budget for all children of Ontario and for all schools which provide their education. According to some, we teach intolerance. We've heard today that our schools breed intolerance. In fact, teachers teach love for neighbour, they teach dignity of all as created persons, and they teach that it's God's desire to include all people as his people.

Intolerance is an accusation by many who view moral standards for society as fluid, moral standards that change and evolve from generation to generation. Why is the alternate view, that is, that moral standards are absolute, considered intolerant or segregationist? It's ironic that a belief which was widely accepted in the past is so vehemently opposed when still held by some today. It's ironic also that the existence and funding of the Roman Catholic separate system has not led to intolerance or hatred and hasn't caused segregation.

It's also ironic that critics say our teachers systematically create an intolerant character. Well, we've heard and read plenty of intolerance from opponents of the proposed tax credit, including opposition MPPs and leaders of the public education system.

Committed Christians who teach historically had jobs at government-supported public schools. The Christian world and life view was the norm. Now it's not tolerated.

Our ability as teachers to teach from our hearts in those schools is compromised because the character of those schools has changed. Justice demands that those who hold an explicitly Christian world and life view and teach from that perspective should be supported by at least the citizens of this province who share in that view.

Choice is good. Other provinces which experience funding to some degree include British Columbia, Alberta, Saskatchewan, Manitoba and Quebec. In those provinces, public and alternate schools are thriving. There has been no crumbling of public education, no mass exodus to private schools. It's unlikely, despite what we've heard today, that the 5% of students in our province who are attending independent schools will change much at all.

In fact, in any monopoly a certain laxness or lukewarmness will occur. It's human nature. The government's bill, which will strengthen parental ability to choose, will at the same time strengthen public education. Long-term strength arises from alternatives. It is remarkable that some say that choice is both bad and harmful.

A little bit about the economics: the proposed tax credit amount would be about \$300 million by 2006. If other options include full funding or an educational portion of property tax type of voucher system, which would also include non-parent supporters of independent schools, it's a solution with a reasonable price tag. Three

hundred million dollars represents about 2% of the approximately \$14 billion that government spends on funded education. The public cost per child, I understand, is about \$7,200. In Christian schools, it's somewhere around \$4,900, about 70% of the public cost.

A parallel can be drawn in our long-term-care industry. In that industry we have nursing homes: private, public-municipal and charitable nursing homes that work just fine side by side and are funded on a per-person basis. Choices are available and quality is not lacking in non-public alternatives.

Whether a criticism is in underfunding of the public school system or overstaffing or a perceived Harris attack on the public school system, all are false dilemmas. I appreciate what we've heard from our leaders in the public school system, but it is a false dilemma. The source of the revenue for the tax credit is not at the expense of public education, any more than it's at the expense of filling potholes, funding hospital beds or increasing any provincial taxes. The public school "crisis," as many have called it, is not caused by or related to the funding for Christian or any other independent schools.

In conclusion, we encourage and challenge all those in government and all those who are critical of the tax credit to support the government's proposal because it is demanded to achieve justice. Our commitment, in return, is to continue to support the efforts of government and opposition to make our public education system better. We need both public and independent schools to function well in order to strengthen each other. Supporting the tax credit concept and being a strong proponent for public education are not mutually exclusive.

The Chair: Thank you very much.

Interruption.

The Chair: I would remind the audience that the longer we applaud, the more time we waste that could be taken for questions and presentations. We have one minute per caucus, and I'll start with the government side, Ms Marland.

Mrs Marland: Thank you, Mr Regnerus. I think you were here when Mr Mitchinson was speaking. I understand he's a superintendent of the Niagara district school board. I'm sure that in this area, Christian schools and any of the private schools aren't any different from the public schools from the perspective of if I were to go in them, they would be the same as the cross-section of schools in my riding of Mississauga South.

I am very motivated and very thrilled about this new nation, as Mr Mitchinson described, because of the fact that when I go to commencements in our public secondary schools, our Catholic secondary schools and in private schools, I see this wonderful cross-section of all children of all backgrounds. I support the fact that the opportunity of choice is available for their parents. I'm wondering if you can confirm that these children are representative—

The Chair: Ms Marland, we've run out of time.

Mrs Marland: —of all different groups within your school system.

The Chair: I'm sorry, sir, but I have to go to the official opposition.

1150

Mr Bradley: Sir, you will find almost inevitably that when funding is granted by a government to any entity, with that come conditions. Right now, for instance, the government has announced conditions with hospitals and has a bill before the House that I think talks about accountability in a variety of fields. Do you have a concern that if you receive funding in the indirect manner in which the government has proposed it, you will then be faced with a number of conditions that would be unacceptable to your organization and to the schools in which you teach?

Mr Regnerus: Insofar as the tax credit goes back to parents, it would be at arm's length to expect the schools to meet certain standards. However, if standards for academic excellence were applied, I'm sure our schools would do extremely well. I have no concern in that regard whatsoever. In our schools, at least at the high school level, the OSSD is awarded and certain requirements are made. Our schools are inspected already, so it should be no surprise to you that our schools will do very well if greater or closer scrutiny is applied.

The Chair: Thank you very much. I have to go to the third party.

Mr Kormos: Thank you for coming. Look, I hear what you've got to say. Quite frankly, you've made, in my view, the best possible case that could be made. I want you to understand that we in the New Democratic Party fundamentally disagree with you. It's a fundamental disagreement. We do not believe public funds should be invested in private schools, be it directly or through tax credits, and we don't say that that's what we believe today. We don't believe public money should go to private schools tomorrow or the day after that or the year after that. I suspect we're going to continue to disagree, but I'm glad you had a chance to speak at this committee.

My concern is that a whole lot of people haven't had the chance. You apparently disagree with Mr Mitchinson, who preceded you, and that's fine; that's good. It's not unhealthy at all. But Mr Mitchinson had applied to appear before this committee. His name had been presented by the Liberal opposition party and Mr Mitchinson had been turned down. Mr Mitchinson broke the rules—I'm sorry to tell you that—by piggybacking—

The Chair: Mr Kormos, we've run out of time and I must bring the discussion to an end.

Interjection.

The Chair: Mr Kormos, we've run out of time. On behalf of the committee, sir, I would like—

Interjection.

The Chair: Mr Kormos, you're out of order.

Interjection.

The Chair: Mr Kormos, I'll point out that you're only taking time from the next presenters. On behalf of the committee, sir, thank you very much for your presentation.

OSSTF DISTRICT 22, NIAGARA

The Chair: Our next presentation is from OSSTF District 22, Niagara. Could you please come forward and state your name for the record.

Mr Daniel Peat: My name is Daniel Peat. I'm a teacher and I'm a vice-president of the teachers' bargaining unit of OSSTF District 22, Niagara. I'm here today with our district president, Craig Brockwell.

We represent approximately 1,400 teachers and substitute teachers in secondary schools in Niagara. We thank you for this opportunity to make a brief presentation to the committee. I realize how fortunate we are in this regard, as so many others will be unable to voice their concerns during these brief hearings on a bill that contains so fundamental a proposed change in the fabric of our society.

OSSTF is a democratic organization. Craig and I have been elected to speak for our members and to uphold OSSTF's democratically determined policies, which include being opposed to direct or indirect funding of private or religious schools and to the use of vouchers to fund schools. In the brief time we have available, we will support these policies with reasoning and examples that should sway this committee to recommend the removal from Bill 45 of its provisions to institute an education voucher system in Ontario through an income tax credit for tuition paid to private schools.

We're very proud of our public schools in Niagara. The current city of Thorold, where OSSTF District 22 pays its education taxes, was the location of the first fully publicly funded school in what is now the province of Ontario. To fund that school was the democratic choice of the residents of Beaver Dams approximately 150 years ago. That is a long tradition of public funding going to public education, one that has served Ontario extremely well for generations and one that Bill 45 seeks to reverse.

One of the reasons we oppose Bill 45 is because of the government's anti-democratic arrogance. The education voucher-tax credit provisions in the bill were introduced contrary to a 1999 election promise by the Premier, an action flying in the face of democracy. If the Premier and his close associates in the divided PC Party have any respect for democracy, then they should withdraw the private school tax credit provisions from the bill and take the proposal to the public in an election or a referendum.

Bill 45 is also anti-democratic in its very nature. Canada is a democracy more vibrantly, more diversely and more tolerantly multicultural than any other country in the world. There is no factor more important in fostering tolerance in our society than our publicly funded schools. Ontarians of all ancestral origins, socio-economic circumstances and religions grow up alongside one another in our schools and learn tolerance and respect for one another that is of fundamental importance to our society and its democracy.

Canadians, as an example to the world, respect one another's differences and value Canadian diversity. Bill 45, on the contrary, seeks to balkanize this diversity by

offering parents financial incentive to take their children out of public schools, which are incubators of tolerance, and put them into segregated schools where there's no opportunity to learn at first hand that our similarities as human beings far outweigh our differences.

Further, it's a double blow to democracy. This bill would leave the public education system poor in diversity and perspective with every student who is lured by a tax credit to attend a private or religious school and to abandon the public system. Bill 45 would also make the public schools poor in a financial sense. It would make Ontario the only jurisdiction in North America to actually pay parents to take their children out of public schools. It's very clever. Yes, your ultimate objective is to weaken public education until you can claim that the only thing that can fix it is to privatize it.

Next year, under Bill 45, the cost to the citizens of Ontario to pay off the parents of 100,000 children now in private schools will be \$70 million. If that money was spent on public education, the District School Board of Niagara's share would be enough to return the workload of our secondary school teachers to that before Bill 74, last June's disaster that has increased our workload so drastically that because of our professional dedication to our role in the classroom, we no longer have time for extracurricular activities, our families or maintaining our personal health.

There would be enough funds left to even have full-time librarians in all of our high schools instead of half-time librarians, as our board is currently being forced to do. By 2006, the board's share of the \$350 million that would go annually from the public purse into private hands would be enough to restore cuts our board is now being forced to make to special education programs and personnel and for reduce class sizes and professional development for teachers. We're even cutting the supply budget by 10%, for heaven's sake—pencils, erasers, books.

There's nothing clever about that. It's just plain crazy to take public money out of vital school programs and give it away to parents who can already afford to send their children to private schools.

Why, then, is Bill 45 so dastardly clever? Because of the financial incentive for more parents to buy out of public schools. Fifteen per cent of public school parents are now considering, as a result of the promises in the bill, sending their children to private schools. By the Premier's own estimate, one third of these parents might make that decision, for an annual transfer of \$700 million from taxes paid by all Ontario citizens into the hands of a select few. What's dastardly about it? Because 100,000 additional students will take with them \$700 million a year from the public education system. Even if the government claims it's revenue-neutral, like every other kind of downloading doublespeak they have perpetrated, they will still have a two-tier education system in place and be one step closer to bankrupting our public education system, as the former Minister of Education, John Snobelen, set out to do six years ago.

There's one more clever little bonus. Bill 45 could even solve the teacher shortage, which the present government has worsened by demonizing the teaching profession ever since taking office. After all, private schools don't require teachers to be qualified as public schools do, but then they don't have to accept students with special education needs, which require even further teacher education. They are not required. They're not democratically controlled. They can refuse entry to students. Public systems cannot.

Like all labour unions, OSSTF places a high value on the principles of democracy and equity. We believe that public education is the cornerstone of a democratic society. We believe that the purpose of Ontario's public school system is to provide all students with an equal opportunity to maximize their educational potential. We consider private schools to be a matter of choice for those parents who want an alternate form of schooling, but that choice must not be at public expense, and not to the detriment of the public education system, as will be the case under Bill 45. However, equity and choice are not incompatible.

I'd now like to defer to my colleague, Craig Brockwell, who will acquaint you with a secondary school within the District School Board of Niagara which combines the high standards of the public education system and equity of access with the values of a particular community in Niagara. If it were possible for one unified public school system to exist in Ontario with provision for education in heritage languages, cultures and faiths, then this school might be a model for many communities. Thank you.

Mr Craig Brockwell: Thanks very much for the opportunity to provide a viable option to the government in regard to funding of public education systems.

A number of years ago, Eden Christian School was seeking a new home, probably for reasons of economic viability. Perhaps it saw, as many other citizens do, that the public system could be its saviour. After some deliberation, the public system, as it does with all, opened its doors to Eden. That is key, because the public school system provides for the needs of all. It can also provide for the spiritual needs of a specific community within the umbrella of a publicly funded school curriculum offered by certified teachers.

It is a publicly funded school that provides a religious flavour. Within the legislated hours of instruction, our certified teachers provide the curriculum mandated by the government and the Ministry of Education. Beyond these hours, the school provides the spiritual enrichment that Eden's parent community wishes. This welcoming of Eden into the public system provides the government, along with shared public resources, with their much-cherished element of accountability. As well, it provides a priority that this government asks us to make in many areas under the government purview, that priority being an emotional and a financial commitment to the public education system.

At a time locally when we have seen per pupil funding under constant decline, this provides an incentive to

further erode what society holds dear. I'm talking again about that tax credit.

Eden right now has students from its original community. As well, it has Catholics and people from other faiths who go there to enjoy that atmosphere that they so richly deserve and wish. It's provided by, as I said, certified teachers. It also has beyond those school hours opportunities for that spiritual enrichment that I also talked about earlier. It has pastoral support groups. It deals with all of the elements of the school curriculum. It deals with spiritual insight, spiritual sensitivity and personal reflections. It has a daily chapel program that's provided in advance of the school day where students go to gather and listen, to recognize that God's presence touches all areas of their lives, everything they would want in their religious education.

They have counselling provided by spiritual life directors who help along with the school guidance counsellors. They also have training admissions. They have alternate programs for all of those students who go to this school. However, it doesn't fall under the five hours or so of instructional time mandated by the Ministry of Education. That's not to say that, as in every classroom, those spiritual options wouldn't be provided as examples in debate. That may go on, and it may go on in other schools in the public system as well. But what this does provide is an alternative, a welcoming of those schools that may feel their economics deem that their schools may have to close. It provides an opportunity for the sharing of resources, the sharing of finances in order to provide an environment that their parent community, their student community, the broad community, wishes.

I just offer that up as a viable option. It's unfortunate that we were given notice so late that we didn't have the opportunity to provide a sufficient written proposal, but we will provide that within the next couple of days, along with an outline of Eden High School and, as I say, a different kind of education within the public school system.

The Chair: On behalf of the committee, thank you for the presentation.

We've run out of time. This committee is recessed until 1 o'clock.

The committee recessed from 1203 to 1304.

SETTLEMENT AND INTEGRATION SERVICES ORGANIZATION

The Chair: Good afternoon, everyone. I'd like to bring the meeting back to order. Our first presenter this afternoon is from the Settlement and Integration Services Organization. I would ask the presenter to come forward and state your name for the record.

Mr Morteza Jafarpour: I am Morteza Jafarpour. I am here on behalf of the Settlement and Integration Services Organization, known as SISO, from Hamilton. First I would like to provide some information about our agency and the scope of clients we serve. I believe we are the largest settlement agency in southern Ontario. We see

around 7,500 to 10,000 first-time clients every year and over 25,000 returning clients. As you can understand from the name, we serve immigrants and refugees arriving in this area. Some of the issues you're talking about today are going to have direct impact on the clients we serve.

Unfortunately, the way we received information yesterday about being here today didn't give us much time to prepare all the things, but I will try to present the issues in a fair manner.

One of the realities is that immigration is a very controversial issue in many areas, and people can discuss the issues related to that. As a result, when immigrants are come here about their rights and responsibilities, part of the reality, when it comes to the issue of immigration, in the short term, is that very often it is a political issue. But for Canada, especially in the last four years, it has been an issue of human resource management, about the future of Canada, about the economic achievement of Canada and about issues other than the social achievement of Canada in that area.

One of the realities we are starting to face is the recruitment of foreign-trained professionals. Canada is in competition right now with western Europe and the States. As a result, people coming to contribute their expertise look at what a country provides to them or to their families. Many people choose to come to Canada or other countries because of the future of their children too. They bring the expertise Canada needs. At the same time, they would like to see the future of their children in that area.

In the last few years, cuts in the education system have impacted newcomer students deeply. They have impacted everybody, but specifically newcomer students. Some of the reasons for that are, for example, in the Hamilton region public board, the number of ESL teachers has dropped from 96 to 21. This means there is less time and teachers per student, even though the number of newcomer students has continued to increase. Another issue in that area is that the time newcomer students are entitled to access ESL classes has dropped from seven years to three years. All these things have had and impact on the academic achievement of the children, who are not immigrant children; they are Canadian children.

The recent suggestion regarding the tax credit for private schools has raised new concerns for people. They've already experienced what's happening with children in the school system. One of the interesting parts, and one of the issues where we have concerns—the main issue in that area—is we feel this issue is being rushed. As a result we don't look at the long-term impact of that on children and the future of Canada.

Even some of the comments we have heard, for example, from the Minister of Finance, contradict values or beliefs of the government we have right now. For example, the government is talking about raising education standards. There is very big concern about the impact of that. It is going to create a double standard in the system, raising the standards for people who can afford it and lowering the standard for people who cannot afford it.

One of the issues the Minister of Finance has raised—he has talked about the reason for this tax credit, which is not for the wealthy but it is to give opportunities to children to go to religious or culturally diverse schools. We have great concern in that area. First, if you look at most of the private schools, noticing diversity is not difficult: you go to the school, you look at the colour of the people and you see the diversity. Most of the private schools are exclusive clubs, because of the cost of the schools and also because of other barriers people are facing in adapting to the schools. The values of some of the schools are built around that.

1310

Another concern we have in that area is that the public education system plays an important role in the adaptation and integration of children and families into Canadian society. We believe creating small pockets is going to create a system having people fail to integrate into Canadian society, because they're going to belong to their own groups.

Another area we have concerns about is that part of the reality when you decide to go to another country to start a new life, is that you sell everything you have and you're going to start at the lowest standard of living. Many of these people are not going to have enough money to pay for private schools. As a result, they're going to settle for the public schools. We are concerned this is going to take more money out of the school system. As a result, we're going to see private schools start to recruit teachers who think they have higher standards.

Another interesting point in that area is that it's not clear what is going to be the certification process or testing process for teachers in private schools. Again, the impact of that is going to be based on people who can afford it going to private schools, and not people who cannot afford it. One concern we have in that area, one of the realities we're going to see—for those of us who are parents, I think many of us can do many things in that area as parents. If I believe I have to send my son to a private school and start to get loans and use my credit cards to pay the school—today we are talking to people who get out of university with high debt, but we're going to get to a stage where people are going to get out of high school with high debt, because families are borrowing money to send their children to private schools.

The last statement I want to make in this area is regarding the issue of these new initiatives. The perception is created outside that private schools have higher standards, and it pushes parents to look for that alternative way, regardless of whether they can afford it or not.

Finally, civilized society is not just based on the number of computers or cars people have. It is judged on people's rights in that society. Canada, as a civilized society, has to make sure the highest standard of education is the right of the children of this country, not a privilege they can buy based on the money their parents have.

The Chair: Thank you very much. We have approximately two minutes per caucus. I'll start with the official opposition.

Mr Bradley: One of the comments I noted, one of your genuine concerns, is that in trying to integrate people coming into the country into the system, programs such as English as a second language and other programs which were helpful in enabling people to settle appropriately in the country and to be full citizens, as you would say, in the country were cut back. Do you see that across the province, or are you only familiar with your own specific area?

Mr Jafarpour: We have heard that's happening across Ontario, but I think Hamilton, as a percentage, is the third-largest immigrant receiving city in the country. Very often people don't see that. Twenty-four per cent of Hamiltonians, based on the 1996 census, identified that they were born out of Canada. As a result, ESL becomes more important in places like Hamilton, and we see the impact of that. As I said, from 1996 it dropped to 21% with the public board. It has a great impact on children's academic achievement.

Mr Bradley: I guess it does get to that point of their academic achievement. Do you find that some students are unable to keep up without those kinds of additional resources, at least at the beginning?

Mr Jafarpour: Definitely.

Mr Kormos: Thanks for coming today, along with any other presenters. Goodness knows it was hard enough to get on the list, wasn't it? We've been requesting 80 days of hearings, because we're concerned that people—quite frankly, there are people who support this position who aren't being given an opportunity to express their views. There are a whole lot of people who oppose the position who aren't being given the opportunity.

Look, not everybody in this room applauded you. You weren't looking, but I want you to know that. I suspect that the ones who didn't applaud for you might be more inclined to applaud the next presenter. I'm not sure; that remains to be seen. There were some people who were here this morning who are advocates of their right to have their children taught in a school environment that they have more immediate control over. I hope I've put that fairly.

I want you to know that as New Democrats, we don't believe that public monies should go to private schools—not now, not next week, not next year. That's what we believe: that public monies are dedicated to—just like we don't believe public money should go to private health care or that public money should go to private prisons. We believe that public money should be invested in public institutions. There are folks here who disagree with you and me. What do you say to them? They are committed to their private schools, and most of the people we talked to are from Christian-based schools. What do you say to those who support this bill? I tell you, they know where I stand.

Mr Jafarpour: I came to Canada at the age of 30. Now I'm 42. One of the privileges of coming from

another country is when you live in the system, you see they have a double standard of private and public schools. I come from a country where we experienced that. As a child I went to schools of both systems and you see what is the impact of that on people, on everybody in that society. I think very often—again, I am today a Canadian citizen, but Canadian-born Canadian citizens unfortunately don't see the privilege of having a public system with the health or education system.

If the people who are talking believe in that area, I believe that part of it comes to values. I am not here saying, "This one is bad; that one is bad." As a value, I am standing behind the public system because of the benefit to my children, as a father, and also for other children I have seen coming in that area.

But I think we need to have more time. That's what I am bringing to the round table. We need to have more time to look at the long-term impact of that on the future of Canada and our lives. It's not about poor children or immigrant children or rich children. It's about the future of Canada; it's about the value we give to our children, to our education system. That's why I made my last statement about how we define ourselves as a civilized community.

Mr John O'Toole (Durham): Thank you very much for your presentation this morning. It's important that we hear from many different voices on the issue. You work with people in resettlement, and clearly that's an important role, to help people to appreciate the benefits of our Canadian society. You speak very well of that and I appreciate that. We do have a wonderful country.

I think the national policy is a multicultural mosaic. A mosaic is made up of independent pieces, not a melting pot society, and as such I would think that you first respect individual differences. That's tolerance, and a part of our culture is to be tolerant and to allow people to in fact celebrate their differences.

I think the government is trying to make a number of fronts—and you have mentioned this, respectfully—to foreign-trained professionals. You did mention that. There is a lot of movement in that area to recognize and to recertify foreign-trained physicians—that's one group that I personally have been working with—to find ways for them to be accommodated in the system while meeting the standards. To recognize individual adults coming to this country with different cultures, values, religions and perhaps attitudes as well—there's some way of accommodating them. Do you think the government can do more to find some equity in recognizing individuals for what they are and what they bring to this mosaic of Canada?

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Mr Jafarpour: That's a very big question. I think we need an hour to talk about that.

Mr O'Toole: Would you prefer us to fit into one shoe?

Mr Jafarpour: Put it this way: I came to Canada. In my past life, I was a medical doctor. I came as a refugee claimant because of the political problems and human-

rights-related issues I had back home. In three months, I downgraded from medical doctor to a pizza driver. That's a part of the experience we see happening with many of the people in that area.

Immigration brings people based on what they think are the shortages in the market. When they come here, unfortunately, there is no system to bridge them, to say, "OK, as a doctor, as a lawyer, as an accountant, if you take these courses or you go through this process, you can become certified and you can work in Canada."

Part of that reality is about Canadian experience. I was at a conference where somebody said that the only job in Canada where you need Canadian experience is snow shovelling. The rest you don't need. But part of the reality is you cannot get Canadian experience outside of Canada. There is no bridging. As a result, when foreign-trained professionals arrive in Canada, they don't see a bridge; they see a gate. That gate says, "You cannot practise." I went through that process. I made a decision to change my career because I saw that gate. They are holding that and they are not realizing this is Canada in the 21st century.

The Chair: We've run out of time. On behalf of the committee, thank you very much for your presentation.

WELLANDPORT CHRISTIAN SCHOOL

The Chair: Our next presentation is from the Wellandport Christian School. If you could please step forward and state your name for the record, please. On behalf of the committee, welcome.

Mr Dean Bonsma: My name is Dean Bonsma and I am from Wellandport, Ontario. Thank you very much for the opportunity to speak with you today. I appreciate that. I'm here today as a parent and as a board member of Wellandport Christian School in Wellandport. I have three children, two of whom attend Wellandport Christian School, one in grade 4 and one in grade 3.

Wellandport Christian School is a parent-run independent Christian school in the town of Wellandport in west Niagara. Wellandport Christian School is a kindergarten-through-grade-8 school, having approximately 240 students this year. I have been serving on the board of Wellandport Christian School for three years.

I am a self-employed computer programmer and, as such, am a middle-class citizen of Ontario, as are most people who send their children to independent schools in Ontario. I attended Christian elementary and Christian high schools in Ontario in the 1960s and 1970s. I and my wife also attended public high schools and publicly subsidized universities in Ontario. Therefore, we recognize the importance of a strong public education system.

My wife calls me the accidental activist because it is very out of character for me to write letters and e-mails and publicly make my views known. However, I feel very strongly that Christian education is important for our children. I feel that the proposed tax credit is an important acknowledgement of the value of the education

our children are receiving, and of the historical unfairness of education funding in Ontario.

What really prompted me to speak out, however, was the shock of the misinformation and rhetoric I was hearing and reading from vocal opponents of the tax credit. Knowing how many years had gone into working for and requesting government support for our schools, I was surprised to hear people say this tax credit was coming out of nowhere. It was not coming out of nowhere from my perspective.

I have heard the opposition parties argue that the tax credit will fragment the public education system and foster an attitude of intolerance among our students. In fact, just the opposite is true. Our students are specifically taught tolerance and acceptance for all humanity. Our graduates have consistently modelled this in their lives. In respecting and supporting the choice of parents to send their children to independent schools, we are actually demonstrating tolerance by respecting the real diversity in our society.

Independent Christian schools have existed in Ontario for many years. For example, Wellandport Christian School celebrated its 40th anniversary three years ago. Over that time, Wellandport Christian School, and other Christian schools, have developed a well-deserved reputation for caring about their communities, for fostering civic-mindedness in their students, promoting the public good and demonstrating, by parental example, the benefits of being involved. In short, we teach our students not to judge our neighbours but to love our neighbours.

Being on the board at Wellandport Christian School has allowed me to see many of the good things that go on in the school. I now know that Wellandport Christian School families represent a wide range of income levels. I now know that Wellandport Christian School provides tuition assistance for families in financial need. I have seen a community dig deep to provide financial and volunteer support for several special needs students. I have seen the blessing that the special needs students have in turn bestowed on the school community through the polite student who stops to open the door, the accepting students who play the wheelchair games during field day, the class that signs along during a song while singing in an assembly.

Parents and other volunteers are involved in many areas at Wellandport Christian School, from board and committee work to classroom assistance, marking, class trips, painting and school maintenance. This involvement fosters a sense of ownership and commitment that has a very positive impact on the school and the students.

Being on the board has also given me insight into the funding pressures faced by independent schools. A tight budget can result in often creative solutions. Last year our grade 7 and 8 students, with a few parents, got together to make dozens of pizzas. These were sold to raise funds for the launch of a band program. Every year many local businesses support the school through donations in the annual golf tournament. The funds raised are used to purchase desks for classrooms, playground equipment,

and other extra items. Each year I am stunned by the overwhelming support for the annual school bazaar and auction. This event raises thousands of dollars, put towards the operation of the school, to help keep tuition down. There are of course many other creative fundraising events happening as well.

In response to the statement that this tax credit will fragment the public education system, we need only look to the example of other provinces in Canada that provide at least partial funding for private schools. In these jurisdictions, public education enrolment and quality did not decline as a result of private school funding. I have also heard that this tax credit will result in less money being available for public schools. While it is unlikely and unfounded to expect a mass exodus from the public system as a result of this tax credit, any public school funding difficulties should be dealt with separately and are unrelated to this credit.

I have been asked why we send our children to Wellandport Christian School. Why could we not just give our children Bible lessons at home, or send them to Sunday school at church? My answer is that we believe we need to send our children to Wellandport Christian School in order to be faithful to our Christian beliefs. For us, religion is not a component of education, but Christianity permeates all of education, and all of our lives. We don't just turn it on on Sunday and turn it off again on Monday. It is with us always, and is therefore central to how we wish to educate our children.

I know, however, that not everyone will want to make this choice for their children, which is why I advocate a strong public education system as well. Our nieces and nephews attend public schools. I have family members who are teachers in public schools. I have a sister who's a bus driver for a Catholic school. Some of our children's neighbourhood friends attend public schools.

1330

I would like to say again that the large majority of independent school supporters in Ontario are not the very rich or well-positioned. We are just average Ontario citizens with average jobs. In fact, I'm sure you would be surprised at how little some of our supporting families earn in a year. We believe that Christian education is important for our children, and we have shown that we are willing to make lifestyle and consumer sacrifices in order to support this.

Our family has a joke about the Christian school car. This is a car that you will find in the parking lots of many Christian schools or in the driveways of many Christian school supporters. It is old. It is rusty. It might belch smoke when you accelerate. We probably have our emissions testing date circled on the calendar and we are saving our pennies for that day. We joke about that, but the reality is that we have chosen to forego the big screen TV, the satellite dish, the expensive vacations and the new car in order to give our children a Christian education.

We know this is our free choice and we don't want special treatment. We only ask for fair support for us and

our children as taxpaying, education-supporting citizens of Ontario. Even with the proposed tax credit, we will still be contributing thousands of dollars more per year for education than parents whose children attend public schools.

I received a letter from Mr McGuinty last week, in which he wrote, "My acknowledgement that there is a fairness issue in the way Ontario funds religious schools has never wavered." Later on he says, "I had taken the position that I was not ideologically opposed to funding religious schools." I would like to thank Mr McGuinty for those comments.

I am thrilled that the government has chosen to support all students in Ontario through this proposed tax credit. I believe this represents an important step forward in education in Ontario. Strong public education and fairly supported independent school education are not mutually exclusive but can and should coexist. Thank you.

The Chair: Thank you. You have two minutes per caucus. I'll start with the government side.

Mr Hardeman: Thank you very much for the presentation. Obviously it relates closely to what I've been hearing for a great number of years in my riding, where we have a school of similar longevity to the one that you mentioned. In fact, I had the opportunity to attend the 42nd anniversary last year. So that would, I suppose, put it at 43 years this year.

I just wanted to raise that because that's what I found in my riding—as you put it forward in your presentation—that this is not a school that is attended by a larger proportion, number of parents, who have high incomes. In fact, it is generally the middle-to-lower-income families who are there. One of the reasons they are lower-income is because they feel strongly about the type of education they want for their children. That's why they are willing to contribute and forego things in their lives to accomplish that. I appreciate that.

The presenter before you mentioned that most private schools are exclusive clubs. Would you comment on that?

Mr Bonsma: I'm not sure what he refers to by that. In our school we seek parents who would support the mission of the school, which is that our school teaches Christ-centred education. If we have parents who support that mission, then we welcome those parents into our school. We have an official tuition assistance policy in place in our school, so parents of any income level may apply. If they require assistance, then they apply for that and it's processed for that.

The Chair: I'll go to the official opposition. Mr Kennedy.

Mr Gerard Kennedy (Parkdale-High Park): Thank you, Mr Bonsma, for being here. I want to ask you about the school that you have your two children at. What is the breakdown between the religious portion and the education portion of the fee that you pay on behalf of your children? Can you relate that to the committee?

Mr Bonsma: I think it's different for every school—

Mr Kennedy: For your school.

Mr Bonsma: The education component for our school, I believe, works out to about \$2,000 per student. We charge a family tuition rate.

Mr Kennedy: I think in terms of what you are discussing here today, you may acknowledge that at \$2,000 per child, the maximum benefit that your family will get is \$1,000 per child—50% of that education portion is what the government is offering.

Mr Bonsma: It looks that way, yes.

Mr Kennedy: The other part is the 40% or less that you get from a charitable tax credit. When you say that you're not rich and wealthy, we absolutely accept that. We accept all of the sincerity behind your wish to have a certain kind of education for your child. But do you recognize that this tax credit is designed to give three times the benefit to a private secular school family that it does to your family? In other words, the only families in the province who will get \$3,500 are families who do not currently have their children in religious schools.

I'm just wondering, from the standpoint of the religious school community, who are being used as the people whom this is benefiting, it seems a little incongruous. I'm just wondering, do you recognize that this is a wide-open exemption that includes any kind of school? It could be religious or anti-religious; it could be of any nature whatsoever. Also, it seems designed to benefit secular schools over religious schools. I'm wondering, from people representing them, being part of the religious community—I know that it's problematic to be included, but the government has included that, and I'm just wondering what your comment is about why the religious schools are getting the minority benefit and private secular schools are getting three and, in some cases, four and five times the benefit of families like yourselves?

Mr Bonsma: At this point, we don't know very many details about how the tax credit is actually going to be implemented, so we're not sure of how that's going to come down.

The Chair: I have to go to the third party.

Mr Marchese: Mr Bonsma, just as a comment, I want to quote you what the Minister of Education said a while ago: "We've been very clear that our goal is good quality public education. The estimates of \$300 million needed to fund religious schools would be"—religious schools, not the non-denominational ones; they're not included—" \$300 million that would come out of the public school system." That's the end of the quote. I believed her then. That's the worry of most of us, who are concerned that this will take money out of public education. Ecker said it and the Premier said it. Of course, they've changed their position. Are you not concerned about that for the public system, which you said you also support, but you don't see a link between the tax credit and the possible shortfall it might have on the public system? What do you think of that?

Mr Bonsma: We currently contribute taxes toward the public school, and we always have. The amount that we contribute to that will not change. I consider those

things to be two separate issues, really. One is the question of public education funding, and one is the question of a tax credit. I see them being separate.

Mr Marchese: I just wanted to tell you that, ideologically, New Democrats are opposed to funding for private schools, be they religious or not. The fact that the other private schools might get more than you only speaks to a particular problem, but I just wanted to let you know that from an ideological point of view, New Democrats believe in one public system. The people who want to opt out, that's a different choice they make.

The Chair: On behalf of the committee, thank you very much for your presentation.

1340

ELEMENTARY TEACHERS' FEDERATION OF ONTARIO, NIAGARA LOCAL

The Chair: Our next presentation is from the Elementary Teachers' Federation of Ontario, the Niagara local. I would ask the presenter or presenters to come forward and state your name for the record, please.

Ms Teri Kramer: Good afternoon. My name is Teri Kramer. I'm a teacher here in St Catharines. My day here has been sponsored by my federation, so they have put a supply teacher in my classroom, which has allowed me to come to this hearing. Had the hearing been available after 4:30, we would not have had to do that. Thank you, though, for granting me the opportunity to address this hearing today.

I'm not here to oppose private schools. I'm here to support the public education system. I represent 1,900 public elementary teachers in Niagara, who wish to express their concern about the government's move to use public funds to support private schools in Ontario. We stand united in our opposition to Bill 45. It is divisive and counterproductive to the well-being of education. It is paramount that all Ontarians, including our government, not lose sight of the importance of an inclusive, publicly funded school system in our province.

Perhaps the most important attribute of our public education system is its inclusive nature. In our public system, we offer an education to all children, regardless of their religious or cultural background, regardless of their socio-economic status, regardless of their physical capabilities, regardless of their academic strengths or weaknesses. All children are treated as equals and provided with excellent opportunities for learning in our public education system.

Since 1995, the government has taken \$2 billion out of the public education system. Premier Harris will now give \$300 million as a tax credit to the parents who support private schools. This is an unconscionable move on the part of the government. The money should be used to support all students in our province, not just a select few.

The public education system is a fundamental building block for our democracy. History has borne this out. For generations, Ontarians have depended on the public

education system to provide them with the skills and the confidence necessary to make decisions to run their businesses, to live fruitful and productive lives. The future of our democracy, the future of our children, are dependent on an adequately funded and properly supported public school system.

Our public schools are funded on a per capita basis. If a child is withdrawn and sent to a private school, the public school jurisdiction in question will lose that funding. In turn, the funding will be transferred to a private school in the form of a tax credit. This removal of funding from the public system will undermine the ability of public schools to maintain the high level of services they now provide. This is totally unacceptable. Public funds should only be used to support public education.

We have concerns about the transfer of public funds to private education in terms of how that can be affected by the General Agreement on Tariffs and Trade. Will this open the door to foreign companies who see a business opportunity in providing private education in Ontario with the aid of a government tax credit? Again, public funds should only be used to support public education.

In conclusion, let me say that the members of the Elementary Teachers' Federation of Ontario respect the court decision regarding the funding of Catholic schools. At the same time, we believe that children should not be separated on the basis of culture, religion or class. As well, children should be provided with a place which promotes respect for differences and allows them to work harmoniously for the promotion of the larger good. This can best be provided in a strong public education system. We ask that the Ontario government immediately withdraw its plans to give a tax credit to parents who support a private school.

As well, I have a letter from the Retired Teachers of Ontario and I'd like to read that letter as part of our presentation. John Sallmen, first president of the Retired Teachers of Ontario, has asked me to read this letter. This letter was originally sent to Mike Harris, Howard Hampton and Dalton McGuinty. As well, copies were sent to Janet Ecker, Gerard Kennedy and Rosario—

Mr Marchese: Rosario Marchese.

Ms Kramer: I should know from being here. I'm very sorry.

Mr Marchese: That's all right. It's such a nice name. Doesn't the name sing?

Ms Kramer: I know. It's wonderful. I'm just not used to these public things. What can I say?

"RTO is a volunteer organization with over 45,000 members, representing the interests of retired members of the Ontario teachers' pension plan. At our recent spring senate meeting a resolution was approved to register strenuous objection to the government's proposed tax incentive for parents of students in private and religious schools.

"We view this proposed change as both divisive and counterproductive to the well-being of public education in this province. RTO recommends that funding at least equal to this potential loss of provincial revenue be used

instead to strengthen the existing, inclusive, publicly funded school systems in Ontario.

"RTO believes that the future well-being of this province is predicated on an adequately funded and properly supported public school system. We, therefore, reiterate our objection to any measure that will so obviously weaken what our members worked so hard to build—strong, vibrant and well-respected public school systems.

"RTO also joins the growing ranks of those calling for full and comprehensive public hearings on this proposed initiative. Five days of hearings in Toronto does not do justice to those from across Ontario who want to be heard on this issue.

"Any fundamental philosophical change like this tax incentive demands a genuine opportunity for public input. We trust that the views of our members will be given due consideration on this matter."

This letter is signed by Val Alcock, president of the provincial body of Retired Teachers of Ontario.

The Chair: Thank you very much. We have approximately three minutes per caucus, and I'll start with the official opposition.

Mr McGuinty: Thank you for your presentation. In their letters to me, the Minister of Education and the Premier indicated that complying with the UN's demand would remove from the public education system at least \$300 million per year; there were some estimates as high as \$700 million. They also talked about how this funding—it says, "Extending funding to religious private schools would result in fragmentation of the education system in Ontario and undermine the goal of universal access to education."

Can you give us some examples, or at least one example, of some of the needs in your own school within the publicly funded system which are going unmet at the present time?

Ms Kramer: I'd like to say that in our school we make an effort to meet the needs of all the children, and we do the best with what we have. I work in a school where we have two special education classes and we do have children who have special needs. In some cases, they require a one-on-one scenario, which is very, very difficult for us to provide in terms of staffing. We are in positions right now where—for example, in our grade 6 class for next year, which will be the class I'll be teaching, there are no social studies resources, and I have just put in my wish list for the two textbooks I would need that will allow me to cover the program. These textbooks cost \$30 each, so that's \$60 per student. The only way we're going to have that money is if parents in our community raise the money. We simply don't have it in our budget. I was lucky enough to get science resources last September, and it was because our parents raised the money to give us those books. We are not being funded adequately.

1350

The Chair: Mr Marchese.

Mr Marchese: But Ms Kramer, M^{me} Ecker claims she has given over \$2 billion of extra funding. The Premier

said that. Mr Hudak said the same thing this morning. How could this money just simply disappear? Are you eating it up somehow on your own? Are you giving it to somebody else?

Ms Kramer: We have very nice lunches. I'm not sure of the figures. I was listening to a professor speaking on the CBC just the other morning. She had done some research about the provincial testing and the figure she used was \$30 million for provincial testing for grades 3, 6 and 9. Her argument, if I can paraphrase a bit of what she said, was that the testing is not in the interests of good education, that it does not identify whether children can in actual fact read or write appropriately or whatever. But \$30 million—it's unbelievable that kind of money could be just blown away on a week of testing.

Mr Marchese: I understand. Just another quick question: I want to follow up on that, but I want to ask you another question regarding the hearings. Is it your view that the eight days we're getting for these hearings—most of the hearings end around 4:30, 5 or 6 in Toronto—might be adequate enough, that it allows all of you or most of you or many of you who have these concerns to be heard, or do you think the government should have permitted more hearings, hearings that would also go beyond the hour when most people are working?

Ms Kramer: Absolutely. As I said at the beginning, I wouldn't be here had my federation not been willing to support my day here. I was one of the very fortunate people, of those who had signed and asked for an opportunity to speak, to be chosen. We, as Ontarians, deserve the right to say our piece on this issue. I'm not just a teacher. I'm a mom and my kids have gone through the system. I still have a son in high school. I am speaking for them, not just for the children in my class. We need to have these hearings right through the summer. There are all kinds of people who have things to say and have a right to be heard.

The Chair: Mr O'Toole.

Mr O'Toole: Thank you very much for your presentation. You are being heard, and I hope you're speaking on behalf of the Elementary Teachers' Federation of Ontario. I'm not sure how many positions there would be, if they would be different from each area, but I do want to put a couple of things on the record that are important since you read a couple of comments into the record.

I have a copy of a 2001 letter by Mr McGuinty. In fact, in that letter he basically says, "Ideologically, I'm not opposed to funding for Jewish schools and/or Christian schools, religious schools."

Michael Bryant said in the Toronto Star, May 12, "I can't suck and blow on this tax credit." He's a member of the Liberal Party. "I've got to support this. It's a step in the right direction of equity. So I support it." That's within his own caucus and he said it on both sides.

The last one, Mr Kwinter's here and this is to be on the record, "I've always supported full funding for faith-based schools. There should be some recognition in the

provincial tax regime, and I'm personally delighted that that's happened. I don't think anyone accepts the argument that Catholic schools should be funded and the others not." That was Mr Kwinter on May 24.

What I'm saying here is that you're hearing two different positions, and neither one is accurate or true that I've heard—inconsistently. I would expect to hear a unified voice from the four or five different individual teacher federations and professional associations. If there's a variance between those eight or nine organizations—of which I'm sure we'll hear exactly the same points.

I believe we should be hearing from independent schools from multi-faith and multicultural backgrounds. That is appropriate. I think there are eight days of public hearings and over 100 different opinions that will be heard.

I can tell you, I've been a trustee since 1982, and it was an issue then. It was an issue when Bill Davis did it. For someone to say this has never been an issue, they just haven't been paying attention.

So I just want to put it on the record, one last thing that has to be on the official transcript of this afternoon's meeting: has your board received more funding this year than last year, adjusted for number of pupils, enrolment? The answer to that is yes.

Mr McGuinty: No, it's not.

Mr Bradley: No, it's not.

Mr Kennedy: No, it's not.

The Chair: Order.

Mr O'Toole: If you think—they say there's \$2 billion removed from education—

Interjections.

Mr O'Toole: You actually send me the documents that demonstrate it, because Gerard Kennedy can't do math.

The Chair: Mr O'Toole, you have to pose the question, sir. You're out of time.

Ms Kramer: I'd like my opportunity to respond to what I felt was your first question, and that was the issue of religious schools, or religious groups of children being looked after in terms of funding in this province.

I would like to draw your attention to the presentation that was made by, and I don't remember the gentleman's name, but someone from Eden Christian School here in St Catharines who presented this morning. He spoke very, very highly of the co-operative venture between the Niagara school board and Eden Christian School.

I believe that throughout the public system in Ontario we can meet the needs of every child in this province, and we can, in this example, meet the needs of a religious group within a given school or within a school that is part of the board jurisdiction.

I do not see the need for separate funding for private schools. All children can be taken care of in the public system.

The Chair: With that, we've run out of time. On behalf of the committee, I would like to thank you for your presentation.

Mr Kennedy: On a point of order, Chair: Mr O'Toole has raised a factual question. I wonder if we could refer it to the researcher with the committee. Mr O'Toole has asked a question around funding for the Niagara area. I'd like to submit it to research, and for the benefit of the committee—we have research capacity here—allow him to check this against what the allocation is for this area. It shows a cut of about \$115 per student in this area, \$1,200 in the last five years. For the sake of this discussion, can the research department do that?

The Chair: You can request that from the research officer.

Mr Kennedy: OK. Thank you very much.

Mr O'Toole: On the same point, if I may, I would like to also put on the record that there was a superintendent of the Niagara board this morning who made a presentation that misrepresented the actual numbers.

Interjections.

Mr Kormos: That's slanderous.

Mr O'Toole: I want this on the record.

The Chair: I'm going to bring this to an end. Order.

ERIE CHRISTIAN ACADEMY

The Chair: Our next presentation is from the Erie Christian Academy board of directors.

Interjections.

The Chair: Order. There are 15 conversations. Mr O'Toole, order, please.

On behalf of the committee, sir, welcome. Please state your name for the record, and you have 20 minutes for your presentation.

I'm sorry for the disorder, but that's about the best that I can order. Go ahead.

Interjections.

The Chair: Order, please.

1400

Mr Ron Gray: Thank you, Mr Chairman, for this opportunity to speak on behalf of many of the parents of more than 100,000 students attending independent schools all across the province of Ontario.

My name is Ron Gray. I'm listed as a board member at Erie Christian Academy in Fort Erie, among other involvements that will become evident as I continue. As a retired educator, I have found that they don't really want you to get bored. They simply place you on boards.

These parents will certainly appreciate the proposed tax rebate as some recognition and justice for exercising their parental choice in the very foundational area of education, so related to culture, religion and heritage.

Before I expand on this, let me explain that I am coming here today from a very broad educational and community involvement background. While I am listed in the program as a board member of ECA, a small but rapidly growing—about 30% per year now—independent school in Fort Erie that started only 15 years ago and is facing repeated physical plant expansion as it approaches 100 students, now in my retirement years I am also on the board of two much larger schools in the Toronto area

and, before retirement, was employed at two different independent schools in Ontario. I continue to teach an occasional university modular course in statistics and am serving for the second time as president of the Rotary Club of Fort Erie.

In an education career spanning more than 45 years, I have been a teacher and administrator in both public and independent high schools, in both public and private colleges and universities, in institutions in both Canada and the United States, as well as overseas. My educational background includes a BA, MA and doctoral degrees from major universities. Furthermore, throughout my career, I have been involved in teacher education for both public and independent schools.

During 13 years in Manitoba, I was an adjunct professor at the University of Manitoba all the time that I was academic dean, and then president of Canadian Nazarene College, an institution associated with the University of Manitoba. Also, when my daughter was in public school, I was the western vice-president of the Canadian Home and School and Parent-Teacher Federation. I've heard speakers from a lot of these groups here today and I understand where each is coming from because of this background and involvement.

I genuinely wish we could get beyond all the straw men, myths, scare tactics, biases, vested interests, and loaded political rhetoric that I have heard today from all sides and focus instead on essential philosophy. Therefore, I shall make only a couple of comments to add to the many details we have heard today and then close more with major general philosophical concerns.

On the cost issue, I would simply like to say—and it is not really about money—if parents enrolled their 100,000 independent school students in the public system for this coming September, it would cost the public system vastly more than the \$300 million in this budget proposal.

Secondly, the religious issue: it is not really about religion either. If we followed the arguments of some today, obviously the separate school system should be dismantled. But we all know that can't happen.

Therefore, the issue is really pluralism and parental choice in education. Independent schools are diverse, both within individual schools and across schools, not just religious priorities, but style and method of learning. I think of Waldorf schools. I think of Montessori schools. I sit with educators constantly representing such diverse groups, not just Christian schools but representatives from Jewish schools, from Sikh schools and so forth.

I think we need to look beyond Ontario. I understand the history and tradition of Ontario, so I'm not just harking back to my years in Manitoba. We need to look at other provinces and at other countries that have managed inclusion of diversity and pluralism within educational choice.

I've lived in Ontario a total of 14 of the years since I left Manitoba in 1978. I have been involved on the board of the Ontario Federation of Independent Schools, OFIS, and its predecessor, OAIS over the past 20 years. While my personal independent school involvement has always been in Christian institutions, I have deliberately avoided

seeking government recognition and financial help through any of the religious organizations, such as ACSI, the Association of Christian Schools International, because of a strong belief in the justice of government action for all groups, regardless of religious, philosophical, cultural or needs focus in our pluralistic society.

Integration is the only possible way that we can achieve the kind of pluralistic society that we like to talk about and revere in terms of some of the things that are done by different cultural groups. Segregation, separation, it seems to me, becomes more and more the necessary facet in public education, as it can't favour particular points of view.

I like to think—and I've thought for a lot of years—that Canada, if it really moved ahead with the concept of a pluralistic society, could set an example that isn't likely to be seen in North America elsewhere. We could see a prototype of what is really needed in a pluralistic society, not aping the United States' sharper and sharper separation of church and state, for instance, but recognizing that alternatives are good. After all, Canada has recognized two major cultural groups and has certainly, in those two cultural groups, recognized the importance of education as foundational in the protection of those, as well as language, of course.

I would like to make the plea that we will have the highest-quality, lowest-cost education, the most thorough education and a true pluralistic education without concern for some kind of racial bias or religious bias or something of that nature. It has been said enough times here today that these independent schools do not try to be exclusive. We do teach inclusiveness. We try to emulate involvement in society in broad terms.

I'd like to close with a simple appeal that we seize this opportunity to walk into a kind of vision for a future of parental educational choice where the real vested interest lies with parents rather than to continue with the opt-out choice misnomer of a past era.

The Chair: Thank you very much. We have three minutes per caucus.

Mr Marchese: I've got two questions for you. To your knowledge, does the school or schools that you were a part of shut anyone out because they might be gays or lesbians? Would they, if you knew they were gays or lesbians? Or, to your knowledge, does your school or do schools that you've been part of shut anyone out who might have had a disability, mental and/or physical, or other religions, for that matter?

1410

Mr Gray: By and large, it's an open opportunity as long as the parents and the child understand the framework within which the school operates. I don't know of specific questions or issues raised about homosexuality, for instance. I certainly know there were different religious backgrounds among the student body.

Mr Marchese: So if I have a disability and I come to your school and I want to get in, it will probably be OK.

Mr Gray: We have tried to make it disability-accessible and that kind of thing. We have even tried to

meet special needs when that's possible. If it isn't possible, if we don't have the capacity, I would expect the school to say, "We can't do the best job for you in that kind of special situation." I certainly have seen some cases where we have been able to do that.

Mr Marchese: You see, that's part of the difficulty some people are expressing, that they're not as open as our public system is. Our public system accepts everybody—and must and ought to. That's the point of our public system, that it accommodates anyone irrespective of any of the problems we've got. If there's not enough money, we have to lobby as parents to say, "Get the money in order to address those needs."

Mr Gray: But obviously a larger system is much more able to cope with some of those very special situations. If a parent insisted on coming to a school, we'd probably endeavour to help, but invariably a very special case has to be handled in another way. We've worked with the public system on—

Mr Marchese: But you do see the problem of exclusivity here, do you not, in terms of the way you—

The Chair: We've run out of time. I have to go to the government side.

Mr Doug Galt (Northumberland): Thank you for your excellent presentation. Recently I was on a phone-in program and the concern of most of the phoners was how many of these students might move over. That seemed to be the running concern. You're from Manitoba, or at least spent a fair amount of time there, and I believe it was in 1989 that they went to a grant system, which maybe would be more attractive than a tax credit; at least that's what I'm hearing. Their shift was, as I understand, from 5% to 6.6% over something like a 10-year period, and BC had a similar shift, from something like 7.1% to 8.5%.

The big concern here seems to be—at least what I'm picking up—that there is going to be this massive movement to the independent schools and therefore in that way undermine—I see that with the tax credit it's going to be like any other tax cut. They're going to go out and spend it on all kinds of gizmos and services, and stimulate the economy and there'll be more revenue coming into the province. But I come back to this shift. I can appreciate where they're coming from. In your opinion, in your experience, having been in Manitoba, what kind of shift would you expect in Ontario with this policy?

Mr Gray: I wouldn't want to try to be a prophet, but I'm confident, looking at other situations and even at other countries, that the shift will certainly not be damaging to the public system. A great many fears are put forward, but those are among, I think, the straw men that don't deserve to be raised.

Mr Galt: Probably in this neighbourhood of what's happened in other provinces?

Mr Gray: Very manageable, I would assume, yes.

The Chair: Thank you very much, Mr Galt. We'll have to go to the official opposition.

Mr McGuinty: Thank you, sir, for your presentation. I've always acknowledged that there's a fairness issue

here in the province of Ontario, given that one denomination is receiving funding, unlike the NDP which refuses to recognize there's a fairness issue here. But I've always said at the same time that in order for us to address this—politics is the art of the possible. You must establish priorities and you have to take some difficult decisions.

The first priority for me and for our party would be to address the serious damage caused to public education by this government during the course of the past six years, and that's a system, of course, that must, by law, accommodate all children of all stripes, and 96% of our kids are going to those schools.

When we address the fairness issue, I think there's a very important principle that must obtain and inform any such solution. It's quite simply that public dollars cannot be invested in private schools. Earlier today we learned something very interesting about this Eden school which I found rather remarkable. The concept is one where the public education system finds accommodation within, so that we're spending public dollars on diversity, we're spending public dollars to promote pluralism within the public system. Would you comment on that approach, why you might speak in favour of it or against it?

Mr Gray: I'm very familiar with Eden before and after the change. That is one possibility that has received a lot of attention. It certainly goes some distance, but it still leaves much to be desired on the part of many parents. That would not satisfy all parental choice, by any means. At this point it has only been one school; it really hasn't been anything that's spread province-wide. The independent school movement is much broader and wider than that. It seems to me a much wiser choice to use something that is in place rather than trying to supplement the system when it really doesn't do fully what a parental group would want. I know a lot of parents, I know students and parents in my church, who have their students in Eden, so I'm fairly familiar with it.

The Chair: Thank you very much. We've run out of time. On behalf of the committee, thank you very much for your presentation.

Mr Kormos: On a point of order, Chair: I'm seeking unanimous consent that E. Mitchinson, who was accused by Mr O'Toole of being a liar, be permitted to attend at the microphone and respond to those slanderous and scurrilous comments by Mr O'Toole.

The Chair: Mr Kormos, I'm not going to entertain that as a point of order. I'm going to go to the next presenter.

BETTY KERMAN

The Chair: I would ask Betty Kerman to come forward. State your name for the record, please, and then you have 20 minutes for your presentation this afternoon.

Ms Betty Kerman: Ladies and gentlemen, members of the committee, thank you for inviting me here today to present. I'll just wait until my speech has been distributed. You will find in the third sentence that there is a

spelling error. It says "ben" instead of "been." I was typing this at 1:30 this morning.

Why am I here? Very simply, I want to add my voice to those who openly criticize the Harris government's proposal to fund private schools.

I am a strong public school supporter and a defender of fair and equitable education for all Ontario students, regardless of their race, creed or religion.

My entire family has been educated in the Ontario public school system. That includes a PhD, a lawyer and three others who have all graduated from Ontario universities.

About 10 years ago I accompanied my husband to England on a sabbatical to Cambridge University. Both my son and my middle daughter were enrolled in the state school system there for that year. During that time I came to realize the degree to which a government would proceed to create and endorse an elitist system and create class divisions within that society by using the school system to their advantage. By denigrating the school system, called state schools there, and their teachers, Mrs Thatcher's Tories worked hard to steal opportunities for success for the youth of Britain.

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Is that now what's happening here in Ontario? John Snobelen, years ago—and I might add that that mighty defender of education had at least a grade 10 or grade 11 education—told us that the public school system was broken. The Tories are certainly doing their best to ruin an education system that was envied by many countries worldwide. Even the United Nations calls us the best country in the world, based on our standard of life, and has done so for the past several years.

Why is a political party so anxious to sell out our public education system? What do they expect to gain? Unfortunately the current government is bankrupting the public school system and now wants to hand over the much-needed funding for private profit. How sad. Our forefathers would have been appalled and outraged. Think of Egerton Ryerson. I wonder what my old friend former Minister of Education Tom Wells would have had to say about this.

Other countries, particularly the United States, are plowing money into their school system while we bleed ours dry. At least the citizens of England woke up and voted Mrs Thatcher and the Tories out, with their attitude to state-funded education along with them. They certainly were trounced again yesterday in the general election, where they were handed the largest defeat ever.

Wake up, Ontario. Be aware of the plans of this Tory government. This government has been promoting an agenda of a standard curriculum, testing and assessment throughout all schools in Ontario. In this publicly funded system, certified teachers must teach the designated curriculum, assess and write a standard report card. All of these requirements are mandated by the Minister of Education. In the private school system, it is not a requirement to hire provincially certified teachers and they don't have to fully implement the Ministry of

Education's curriculum. Their requirements will be set by the Minister of Finance, not the Minister of Education.

Bill 45 also has no restrictions, so funding could go to private companies or to schools outside Ontario as long as the parents reside in Ontario. This tells me as an Ontario taxpayer that some of my hard-earned money could go to an American school, maybe even a Colombian school, with the drug trade. How will this affect world trade and all those who have fought to keep education off the trade talks table? What a Pandora's box has been created.

Public education is fundamental to our Canadian society and our democracy. Public education should be diversified and allow for all children to learn under one roof. We live in a pluralistic society, a cultural mosaic. In order to understand, appreciate and tolerate others, which is the Canadian way, it is essential that young students not become isolated from one another and ghettoized based on religious or cultural differences. To subsidize the rich and religious fundamentalists simply because they wish to exclude other views in society invites civil friction.

Ninety-five per cent of our population is educated in a publicly funded system. What is to be gained by enticing people to move to the private system? For every child who leaves the system, the public school system loses \$7,000. Already the public school system is seriously underfunded, and this will only worsen the situation and become more detrimental to the education of Ontario's youth. No less than our future is at stake.

When \$7,000 comes out of the system and \$3,500 is given to a private individual, what happens to that other \$3,500? Funds are given to school boards based on enrolment. If the enrolment decreases, the funding for all the schools in that board is reduced and everything in the school will be reduced, including teachers, supplies, transportation, heating, custodial maintenance, and the list goes on. Every aspect of the school is based on the number of students enrolled. Over time you will see fewer teachers, less money and less students. A school, which was once healthy and productive, will fall below its designated capacity and will be forced to close, all thanks to funding being diverted from the public education system to go to a private education system.

Many of the private schools that will be subsidized are not quality schools. As I mentioned earlier, there are no provincially legislated standards for these schools. Private schools up to grade 8 are not regulated. Only those secondary schools which are awarding secondary school diplomas are regulated. What will happen when these students enter an Ontario college or university?

Janet Ecker has stated that these are issues that will have to be looked at. Isn't that kind of putting the cart before the horse once again? What direction is this government really taking? Where is the balance and in-depth research? Where is the common sense in all of this? Education should not be like making widgets. It takes patience, time, nurturing and building young minds, step by step.

Why does Bill 45 have to be hurried so quickly through the Ontario Legislature? This is the biggest change in our educational policy in the last century. This Bill 45 needs broad public debate, not just a few days. To really understand the feelings of the majority of Ontarians, why not have a public referendum on funding private schools under the existing Tory legislation for referenda?

A final message to this Tory government: our entire future here in Ontario hangs in the balance—ours educationally, yours politically.

The Chair: Thank you very much. We have approximately three minutes per caucus.

Mr Maves: If I may, in your submission, on page 1, you talked about, "This government has been promoting an agenda of a standardized curriculum, testing and assessment throughout all schools in Ontario." Obviously, you believe that should be applied to the independent schools.

Ms Kerman: Yes, I do.

Mr Maves: You also said that the publicly funded system has certified teachers—which is done by the Ontario College of Teachers, as you would know—who teach the designated curriculum, both of which you support?

Ms Kerman: I do.

Mr Maves: You also talked about assessment and the writing of a standard report card. That's not in the independent schools. At least they should have the same standard report card?

Ms Kerman: Yes, I think they should have the same report card as well.

Mr Maves: OK, so all of those things—the standardized curriculum, testing and assessment, the teachers certified by the Ontario College of Teachers, teaching a designated curriculum, which you support, and assessing and writing a standard report card—you've told me you support. But earlier you said the Tories are doing their best to ruin an education system. It is the Tories that brought in every one of those reforms which you just said you support. I'm just curious how you would square that up.

Ms Kerman: In the last few years, I have found that the Tories have also taken \$1.8 billion from our students in the public education system. We have a lower number of teachers in our system now. They have cut funds for special education, they have cut funds for transportation, they have cut heating funds, and I do believe that this really has been very detrimental to the students in Ontario.

Mr Maves: We will debate, as we often do with the members opposite. We will say that we spent \$12.8 billion in 1995 and we spend almost \$14 billion now on education, but that's a cut in everyone's eyes, the Liberals and yourself. I understand that. I'll agree to disagree with you on that, OK? But all of those other issues—the standardized curriculum, the testing and assessment throughout all schools, certified teachers through the college, a designated, stronger curriculum and a standard

report card—all are Tory reforms and all of those you support.

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Ms Kerman: I support the curriculum to a degree. I'll have to clarify that. I have been in teaching since 1961. I have gone through a lot of changes in teaching: Tories, Liberals, NDP and back to Tories again. I am not a person who opposes change; not at all. What I do oppose, is changing things so very quickly. This is exactly what the Tories have done. They have changed the curriculum so fast they haven't even thought about the development of the child. There are children who are in that curriculum right now who cannot handle the situation because developmentally they are not ready for that particular curriculum.

Mr Kennedy: I know you said this is one of the biggest changes in this century, and I think what not everybody is aware of is that this is a wide-open back door to public education. It has very little to do with religious schools. Any kind of school that anybody wants to set up will, for the first time in North America, be funded by a state or provincial government. There is no other state or provincial government that offers funding on this open-ended basis. Is it right to assume that that's the kind of broad problem that you identified when you said that this is the biggest change facing—

Ms Kerman: Yes.

Mr Kennedy: I think part of the discussion we heard this morning ignored what is the majority part of this bill. The bill actually says that anyone in the province who sets up any kind of school will get funding, and it actually gives more money to places that aren't set up with religious intentions in mind. It gives more money to places in fact that might start up in the future because it really does that kind of encouragement.

You're familiar already with the education that you've seen. What kind of damage would it be if 10 or 15 or 30 students and the funding they have—I guess one of the things that maybe isn't clear from the government's presentation is, students aren't all the same. Take \$7,000 away; there are some kids who need a lot more help and some who need a lot less. When that money leaves, it is leaving with some of what some of the kids left behind require. Can you comment on that?

Ms Kerman: You're absolutely right. Not every child is a \$7,000 child. I have some children in my classroom who are \$1,200 children because they come to school ready to learn and really all I have to do is prompt them a little bit.

With the children who have already left my school this year, we are down 1.8 teachers. That means that our classrooms now are going to be bigger. We have lost special education classrooms. We have lost special education support for those children in our classrooms, which means that our classrooms are going to have to deal with those children in the classroom. I just got my 27th child in my classroom today. That's in senior kindergarten.

I don't have money supplied to me to support some of these children for the things I need to teach them. A lot of that money comes out of my personal account now. If you'd just rephrase the question, perhaps I could clarify a little bit more.

Mr Kennedy: Just very briefly—

The Chair: I'm sorry, we've run out of time.

Mr Kennedy: Mr Chair, I have another half a minute. I'd like to use it, please.

The Chair: I'll give you half a minute.

Mr Kennedy: Would you agree with me that it is destructive to the confidence of people in public education to see the government endorsing a private system—

Ms Kerman: Oh, absolutely.

Mr Kennedy: —with no conditions on them, and yet you have these central, Soviet-style things you've got to respond to in your classroom?

Ms Kerman: Absolutely, I agree with that.

Mr Marchese: Betty, thank you for your presentation. You've covered a lot. I want to make one comment and then a question. The first comment is that it is good that you identified that the person who made this change is the taxman, the Minister of Finance. This is a tax credit, having nothing to do with the Minister of Education. So all these other questions we are asking of them don't really apply because the Minister of Education wasn't ready. She hasn't gotten her head around it. I don't think she supports it, because she was opposed to it initially. So there's confusion in terms of what the taxman has proposed and the implications it has on the educational system. That's why so many people are a bit confused and angry.

We New Democrats don't support funding for religious schools or for the non-denominational schools. We think both are not the right way to go.

But I have a procedural question on which I want to ask your opinion. In the past, we three political parties used to divide equally the number of people we could select to come before our committees. So we're divided 25% Tories, 25% Liberal, 25% NDP, and 25% the Chair would select randomly, which is standard practice. They changed that by fiat the other day. Mr Hardeman announced the change.

The change they made says, "Witnesses shall be scheduled according to lists provided to the clerk by each member of the subcommittee." These are magnanimous. They give the opposition parties one extra person because they're nice people. So they get to have eight nominations, they get to have five and we get to have three. But under the previous kinds of principles we had more nominations, so they're stacking the deck is the point I've made.

What do you think about why this government might have wanted to feel the need to have more of a say about who would come here?

Ms Kerman: I can only state what happened to me. I was only called yesterday, at 1:30 in the afternoon, and was told that I had to make my plans and my decision by 3:30 yesterday afternoon.

I'm a worker; I work full-time. I had to really hustle to do that. I feel, if we had a longer period of time and more people come to make these presentations, that we would better serve the people of Ontario. I think we have 12 million people who live here in Ontario, and it was probably Mr O'Toole who said there are at least 100 people who are going to come here to make presentations.

What percentage of people in Ontario are going to be able to come to make presentations for 12 million people? Why don't we have this a little bit more open so that we have every community in Ontario making presentations, every voice in Ontario making presentations?

The Chair: Thank you very much. On behalf of the committee, thank you very much for your presentation this afternoon. We've run out of time.

BROCK UNIVERSITY

The Chair: Our next presentation is from Brock University. I would ask the presenter or presenters to come forward and state your name for the record, please. On behalf of the committee, welcome.

Dr David Atkinson: Thank you very much, Mr Chair. My name is David Atkinson. I am the president and vice-chancellor of Brock University here in St Catharines, Ontario.

First, allow me to thank the committee members for the opportunity to provide my thoughts on the recent Ontario budget. Given the very limited time I have, and given that I am here in my capacity as president of Brock University, I will limit my remarks to how the Ontario budget impacts on my own university, and I am not going to talk about tax credits. Necessarily, what I say about Brock will have some relevance for other of Ontario's universities.

First, let me say that the recent budget announced is a good one for Brock University and it is a good one for Ontario's universities. All of you, I am sure, are aware of the challenges associated with the double cohort, which is now only a little over two years away. We must not forget the challenges associated with the growing demand, generally, for university education in Ontario. There will be an additional 50,000 students flowing into Ontario's universities in two years' time.

We all recognize that Ontario's universities play a critical role in preparing our students to live and work in a world that grows more complex with each passing day. We also appreciate the role of Ontario's universities in doing the research and development so necessary for the well-being of the province, economic and otherwise.

My remarks in this presentation are divided into three parts: first, the positive news of the budget for the universities; second, some of the financial challenges we continue to confront; and third, the impact of accountability legislation on Ontario's universities.

First the good news. There were a number and are a number of very important announcements in the budget for the universities. Most important of these is the commitment to multi-year funding in the amount of \$220 mil-

lion for the period 2001-02 to 2003-04. I cannot overestimate the importance of knowing what government funding will be for the next three years. We will now be able to begin implementing our plans for growth. In Brock's case, an institution of 11,450 full- and part-time students, we are committed to growing by 1,900 full-time students, which for us constitutes an enormous challenge.

Also important is that we shall get full average cost per student. For many years some Ontario universities, including Brock, struggled with below-average funding. That this had consequences for quality goes without saying.

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Finally, I wish to express appreciation for the special \$100 million made available for deferred maintenance at Ontario universities, although quite frankly we need much more. Our campuses are aging, and there is no question that maintaining our campuses is ever more challenging.

This is the good news, and I wish to congratulate the government of Ontario for its initiative, especially when we know there were limitations on what might be done. I must recognize the Honourable Dianne Cunningham, Minister of Training, Colleges and Universities, Deputy Minister Dr Kevin Costante, and Assistant Deputy Minister Dr David Trick for their hard work on behalf of Ontario universities.

At the same time, however, we must recognize that there are challenges ahead of us and that there were things that this budget did not contain. I offer these observations not as a criticism but as issues to be considered for future deliberation. In no particular order they are, first, the issue of unfunded students.

It is a fact that many Ontario universities, including Brock, already have students for whom they receive no provincial funding. Remedying this situation is the highest priority for Ontario's universities. I will acknowledge that Brock is better off than some universities, the result of the equity funding and accessibility funding flowed by the government over the last few years. These increases were important for us and have made a huge difference to our operation. But other universities did not receive this funding and they are not anywhere near as fortunate.

We must remember that everything comes down to quality. There has been much discussion about where funding for Ontario's universities stands in relation to that of universities in other Canadian jurisdictions. My intention is not to debate the validity of this assessment. I only wish to make the point that we could be doing a whole lot better if we are serious about creating the best province in Canada to live and work.

Second, some comments about the funding announcement: the announcement in the budget indicated that grant transfers would increase by 1.7%, 3.9% and 12.5% over the next three years. These increases mirror the anticipated growth in university enrolment, as determined from the individual enrolment plans of the province's 17

universities. But there are a number of problems with this model.

First, 1.7% is not nearly enough in the first year. It will be regrettable if the obvious and major support for universities demonstrated in the government's budget is compromised by the fact that a number of universities will be cutting faculty and unit budgets for next year in order to balance their overall budgets. This, it seems to me, is not the right message and does little to address growing public anxiety over the double cohort. In other words, "Will there be a place for my son or daughter in Ontario's universities in the year 2003?" Brock will balance its budget next year without cutting faculty and unit budgets. There will be no position losses and no programs will be reduced. We do this, however, without any sort of surplus, the "rainy day" money needed to deal with the unexpected. Our budget for next year, which exceeds this year, for the first time, \$100 million, plans to have a surplus of less than \$10,000. This truly is a balanced budget, in the full meaning of the words, and is, quite frankly, no way to run a \$100-million enterprise. This situation continues to be of enormous concern for our board.

Second, Brock, along with other Ontario universities, is literally being killed by energy costs and by even modest salary increases. Indeed, nowhere in the current budget is allowance for unavoidable cost increases that will inevitably erode funding that has been specifically provided in the current budget for enrolment growth. Energy alone cost Brock University \$500,000 more this year than last. This cost amounts to eight new faculty positions that could be teaching students. Unlike other areas of government spending, the universities have received no earmarked funding for utility increases.

Third, we have very much welcomed the SuperBuild initiative. Brock received \$15.6 million towards the Brock 2000 Project, which in total is valued at over \$43 million. We did not, however, receive any additional funds for operating these buildings, which will come on stream in January 2002. Costs are about \$5.00 a square foot, which for us amounts to another \$500,000 a year, or \$250,000 for the half-year—another eight faculty positions.

Finally, there is a real problem with the multi-year nature of the funding announced in the budget, because while the universities all have plans for growth, there is considerable chance that some institutions will overshoot. This is not anyone's fault; it is the result of where students in the final analysis decide to go. Thus, we are left with a situation where a university—and I expect Brock to be one of them—may take more than its planned students, with the likelihood that for next year we shall have students who are once again unfunded or underfunded. The multi-year nature of the funding should recognize the dynamic and unpredictable dimension of growth.

A final item I would like to talk about pertains to the government's announced accountability legislation. I mention it here not only because it affects how we budget

but also because it has serious consequences for the autonomy of the universities.

First, allow me to make one thing very clear: universities must be accountable—to government, to their students, to those who fund them, to the general public. Accountability and transparency make universities more responsive and, in the long run, better places.

Our concern is with how they are accountable. The intended legislation groups universities with other agencies and institutions that receive public funding, notably hospitals and municipalities. I would suggest this is a mistake.

It is generally not appreciated how much universities depend on other than the provincial government for funding. As I said previously, we have just determined the Brock budget for 2001-02, which for the first time in history will exceed \$100 million. Of this, however, only 41 cents of every dollar comes from the provincial government; the remainder comes from student tuition, ancillary activities, contract work, donations, other levels of government and anywhere else I can get it. As well, universities have many ancillary organizations attached to them—research units, arts organizations, private sector partners and incorporated businesses. The idea of a single business plan for such a complicated arrangement of organizations, as required by the accountability legislation, would in my view be of dubious value. We must have the flexibility and we must be trusted to be financially responsible. Indeed, the Ontario universities have consistently demonstrated that they are careful stewards of their funding.

There is in the current budget an element of contradiction. The budget allows us multi-year funding, but disallows any sort of deficit funding. My own board has a policy that the university will never knowingly budget for a deficit. But the fact is that there are occasions when this is necessary. Let me give you a good example. We all know the enormous competition for faculty that is currently going on across North America. In the case of Brock, we have allowed hiring against retirements over the next five years to get a jump on the market. While we know there will be a short-term deficit, we also know that, at the end of five years, the program will be a wash, simply because the salaries of retiring faculty exceed those of entry-level faculty. Under new legislation, this sort of creative planning would not be possible.

It is also the case that we have boards who do a very good job of making us accountable; I ask that they be allowed to do so. If there is to be accountability legislation, I ask that the different sorts of organizations and agencies be identified and treated according to how they individually operate. One size does not fit all. It is simply inappropriate to treat universities in the same way as municipalities.

I realize this has been a thumbnail sketch, but I hope it allows you some appreciation of our universities and the challenges they are confronting. We have come a long way over the last several years in dealing with the financial needs of Ontario's universities. Ontario should be proud of its universities; they do a great job for the

people of Ontario. I only ask that the work to come builds on the good work already completed.

The Vice-Chair: Thank you for your presentation. We have approximately two minutes per caucus, beginning with the official opposition.

Mr Bradley: Thank you very much, Dr Atkinson, for your presentation. One matter of great concern, of course, is accountability, but we know that whenever the government gives money, there is accountability that the government demands, and rules and regulations. That will be an issue for another day.

I also want to express the view that it would have been advantageous, this being a budget bill, if you and other university presidents and community college presidents and others were able to make a presentation separate from the issue which has preoccupied the committee to the largest extent today, and that is the tax credit for private schools.

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Let me ask you one question about faculty, because that is a real problem that you're going to face. There is a great demand for faculty. You know you will be seeing a number of retirements over the next few years which will deplete many universities of some very skilled people. In the US, they're looking for people as well. What kind of funding would you require to meet the needs of a competitive field out there in terms of trying to get top-notch faculty to enhance the reputation of the university and serve your students well?

Dr Atkinson: It would be very difficult for me to put a number on it, so perhaps I'll just give you an example. In the high-demand areas—and by high demand I mean high demand for students: information technology, computing, biotechnology, anything in wellness and health, accounting and finance. Currently, for us to appoint a new faculty member right out of graduate school, with no experience, a starting salary would be somewhere in the order of C\$95,000. We have lost three faculty members in those areas this year to American schools who are offering them US\$120,000. It's that kind of environment we are competing in. It is not just the brain drain to the south, by the way. We also have another kind of brain drain going on which is even, in some ways, more ominous, and that's the brain drain from the east to the west. Alberta and British Columbia are routinely now picking off the best faculty members from Ontario's universities. Certainly universities the size of Brock are very, very vulnerable.

So the answer to your question is, for us to be truly competitive in what is now an international marketplace—it used to be that faculty came and they stayed for 30 years. Now they can sell their wares anywhere internationally. We would need substantially more money than we currently have. Some disciplines—classics is not exactly a competitive area right now, but in IT, biotech, it is causing us enormous concern, and we lose each year as many faculty members as we hire.

The Vice-Chair: Thank you very much. We'll move on to the third party.

Mr Marchese: Thank you, Mr Atkinson, for your presentation. I've got to admit, in your first page and a half you almost worried me, because I thought you were going to kill them with kindness. Then it became a little more balanced and I was happy.

Dr Atkinson: Balance is what I do.

Mr Marchese: I appreciate that that was coming. While you touched on many things, of course, you didn't have enough of a—although you mentioned tuition fees. This is a serious issue for us. Tuition fees have skyrocketed 60% over the last years, and for the unregulated programs it's close to 500%. God bless these Tories. You mentioned the double cohort, that there's close to 90,000 students you've got to accommodate by the end of the decade. I don't think this government is putting in enough bucks to deal with that. Aging facilities: I don't think it's enough to deal with that. The faculty loss we're experiencing all over Ontario: I don't think they're doing anything near enough to deal with these issues—the energy costs you mentioned. Portals and Pathways, that study they commissioned, says that what they're giving is simply not adequate.

I want to ask you one question, because it's about to be over. With respect to the income tax cuts, would you be willing to give some of that up or a lot of that up to have more money for the university system?

Mr O'Toole: Ask Jean Chrétien.

Mr Marchese: No, no. Let him—please, John.

Dr Atkinson: Well, now you're asking me the question as an individual taxpayer.

Mr Marchese: Yes.

Dr Atkinson: I'll be quite frank. The universities, despite the generosity of the government in the current budget, are not anywhere close to being where they need to be in order to do the job for Ontario's universities for the future. That's why I came in here saying this has to be the foundation for additional future action on the part of government, regardless of which party in this province establishes the government. Having said that, I think sometimes there needs to be perhaps another look, a more critical look, at the balance between tax reduction and the needs of social and educational programming in the province. The extent to which that should happen is the responsibility of government, sir, and I would suggest it is the responsibility of government to get on with making that decision.

Mr Marchese: They should look at that seriously, then.

The Vice-Chair: Thank you very much. We'll move on now to Mr Maves.

Mr Maves: It's good to see you again, President Atkinson. Enrolment applications this year: how many did Brock receive province-wide?

Dr Atkinson: Brock University is truly the flavour of the month in Ontario. Our first-choice applications have gone up 15.3%. This is the second year in a row in which we have led the province. Quite frankly, our concern, as I said earlier, is that we will overshoot. My real concern is, are we going to have places for them?

Mr Maves: Last year they were up by what percentage?

Dr Atkinson: Up 12.7%.

Mr Maves: And that's part of a province-wide phenomenon, where our applications for post-secondary are up—

Dr Atkinson: Applications continue to go up on a year-to-year basis, but they disproportionately present themselves across the universities. We happen to be in the most favoured category right now.

Mr Maves: So more and more people are applying to college and universities. Good.

Dr Atkinson: Seventy-five per cent of Brock's students come from outside the region.

Mr Maves: That's excellent. Thank you very much also, on page 4, for your support for the need for accountability and transparency. I'll ask a question around the type of legislation. Hospitals and municipalities and colleges and universities: you seem to think we should have separate legislation guiding accountability measures for each of those?

Dr Atkinson: I don't know whether you need separate legislation, but I think within the legislation you need a way of discriminating among the various agencies and institutions that are being held accountable, if for no other reason than that the way in which they do business is radically different. If one looks at hospitals, for example, the majority of funding which goes to hospitals comes from the government and that determines the way in which they operate. In the case of my own university, 41 cents of every dollar comes from the province. A lot of our money comes from the federal government. A lot of it comes from private business activity. So we operate in a very different way. We have to be much more flexible, much more accountable. In fact, I would suggest that your government has encouraged that with universities. The point is, hold us accountable, but provide accountability legislation that does not take away our ability to be flexible.

The Chair: Mr Maves, we've run out of time. On behalf of the committee, thank you very much for your presentation this afternoon.

ECUMENICAL STUDY COMMISSION ON EDUCATION IN ONTARIO

The Chair: The next presenter is the Ecumenical Study Commission on Education in Ontario. I would ask the presenter to come forward and state your name for the record. On behalf of the committee, welcome..

Dr John Johnston: My name is John Johnston. Mr Beaubien and committee, as chair of the Ecumenical Study Commission on Education in Ontario, which is composed of officially appointed representatives of the major or main-line denominations in the province, together with our interfaith subcommittee members, and as past chair of the inter-synod committee on public and private education of the Presbyterian Church in Canada, I represent constituencies which are estimated to compose

a very, very large majority of the people living in this province.

The ecumenical study commission and the inter-synod committee are not recently organized organizations but for over two decades have stood for the highest educational principles and have supported the time-tested Ontario school model which has made our educational system second to none in the world. Our inter-denominational commission met regularly with each successive Minister of Education until the present political party took office in 1995. Since that date, only negative responses have been received to the many requests for such a meeting.

We come before you this afternoon appreciating the opportunity to address you but deeply disturbed and increasingly dismayed by what may be viewed as a step-by-step dismantling of public education by our present government. This current proposal to offer tax credits to parents with children enrolled in private schools can only be seen as the latest step to cripple the public school system.

The Premier of this province and the Minister of Education had previously stated that no form of voucher system would ever be introduced. This about-face needs careful scrutiny by a constituency which has never given its approval for such a radical move. I am not one who favours referenda, but I firmly believe that if one were held on this subject, the tax credit proposal would be soundly defeated.

My first comment is that money is certainly being taken from the educational system by the tax credit proposal. If a grant per pupil of \$7,000 or \$6,500, depending on your figuring, is withdrawn from the public schools for every pupil who transfers into the private system and a tax credit is then offered the parent of \$3,500 or so is then offered the parent, then the government is removing a minimum of \$3,500 from the educational budget.

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Since the power to levy taxes was removed from trustees in 1997, and since school budgets have been drastically reduced by systematic cuts in provincial grants, in terms of growth, many programs have been curtailed and curricula restricted. It is recognized that a minimum number of pupils is needed for maximum efficiency in our community facilities. Reducing enrolment in a school means less choice of programming, to say nothing of the occupancy costs of buildings—as we've just heard from the last speaker—often older and with vacant spaces, increasing operating costs, qualification increments by staff etc, all of which must be supported within the present per pupil grant.

Of much greater importance, I believe, is the recognition that the public school system is the location of most of the programs which seek to meet the needs of those with physical and mental impediments. Private schools do not have to accept such students, who are very expensive to service, unlike public schools, which cannot pick and choose their constituency.

The media have informed Ontarians today that teachers in private schools will not be subject to periodic examination for competency. How can the government justify directing public money into schools over which it has no jurisdiction in this area? Also, private schools are not subject to human rights legislation. Through conversations with individuals who serve with our interfaith subcommittee, one is told of examples of pupils in religious schools who have assumed a "better than thou" philosophy or an "ours is the only way and we have the whole truth" mentality, which cannot help but influence such pupils in later life. I believe that all pupils, irrespective of colour, culture, religion, orientation or language, are best served by studying together in one milieu, namely the public school system.

To those who quote the United Nations declaration that Roman Catholic rights in Ontario are discriminatory, instead of extending public taxes to any group that wants to start a school in order to emphasize a particular ideology or faith, I would suggest one system in which education about religion is taught. This, of course, has long been the position of the Inter Synod Committee on Public and Private Education, as approved by the Ministry of Education and authorized by the Supreme Court. And that's important: it's authorized by the Supreme Court; it's on our books. But we can't meet with the government. It should be the basis for long-term consideration and consultation; the short-term, however, is to oppose any legislation that will balkanize the present educational system, which has served this province well since the days of Egerton Ryerson and which seems to many of our members to be but part of this present scheme by the present government to privatize schools, hospitals, LCBO, the Ontario savings bank, transportation, regulatory bodies etc, which in so many ways is creating a two-tier society in which the chasm between rich and poor becomes ever wider.

In a letter distributed by Adrian Guildemond, the executive director of the Ontario Alliance of Christian Churches, to which most Christian schools belong, it is stated that \$175,000 has already been spent by that organization lobbying the government behind the scenes—and, might I add, unknown completely to the public at large—and that another \$500,000 is being collected in support of tax credits. In light of such activities and the importance of the issue and possible long-term effects, I repeat that it is imperative to have genuine consultation with educationalists, parents, taxpayers and elected officials of the various levels of government, not just a few minutes allotted to a very few people over a period of a very few days. I myself was only phoned yesterday afternoon, informing me that I could have these 20 minutes with you.

It is the right of any group to develop its own school system. Although one finds it difficult to justify, in a multicultural society, having a fragmented system in which each group emphasizes a position which can exclude or denigrate other viewpoints, it is my personal opinion that religious indoctrination is primarily the

responsibility of the home and a particular faith group, not the public school.

Public tax money should only be directed to a public education system which is open to all, which educates all groups together in community, where students learn to respect various viewpoints, which will then prepare them to successfully relate in, and to, our 21st-century society.

Thank you for the privilege of sharing this position of unequivocal opposition to tax credits in Ontario.

The Chair: Thank you very much. We have approximately two minutes per caucus.

Mr Marchese: Dr Johnston, I appreciate the presentation and I agree with most of the positions you've taken. The one I have supported for a long time is the one you have emphasized on page 2, which is: "I would suggest one system in which Education about Religion is taught." That is a position that I believe most Ontarians can easily support. It would be good for most young people to understand about religions and that, I think, would make us more tolerant to each other.

What do you say to those other groups, quite a number, who say—the Jewish faith being one, and others who said this morning—"Christianity permeates all of our lives," suggesting that simply talking about religion or learning about religion is insufficient?

Dr Johnston: This is a very simple question to answer. My children went to school with Jewish children, with children who were brought up by the Koran, Hindu children. There is a community there. By introducing Education about Religion, this is enabling those children to appreciate the literature that they are studying, the history that they are studying in terms of how religion has influenced them and the things that are part of the educational system. It isn't teaching indoctrination, Mr Marchese, it is teaching an understanding of the fatality of life as expressed through the studies and the faiths.

Mr Marchese: I'm not sure it was as simple as you say because, while I agree with what you just said, when I talked to a number of people from the Jewish community who were supportive of this initiative, they said, "I'm sorry, just teaching religion is not enough. Our religion permeates our entire lives. Therefore, just to study our religion is insufficient and inadequate." That's why they advocate for a system of their own, where—

Dr Johnston: But, Mr Marchese, Christians say that their faith has affected all of life. Whether they are practising Christians or practising Jews or not, their ethos is part of their educational understanding. This is where the home, this where the synagogue, this is where the church enters the picture. But the public school is not the place to teach that, "This is the way because Father says so."

Mr Maves: I'm not that familiar with your organization. How many members do you have?

Dr Johnston: We represent the Anglican Church of Canada; we represent the United Church of Canada; we represent the Presbyterian Church of Canada; we represent the Roman Catholic Church of Canada; the Baptist federation, the Lutheran Federation. Not on all matters are we always in agreement but, hey, this is the church.

Mr Maves: So would your interfaith subcommittee with the Roman Catholics, if they were here, support your position on repealing Roman Catholic funding?

Dr Johnston: No.

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Mr Hardeman: Doctor, thank you for your presentation. I think you mentioned in your presentation that you have concerns about this taking money out of public education. You are aware that in fact the public education funding was \$12.9 billion in 1995 and it is \$13.8 billion this year. I just wanted to make sure we understood—

Dr Johnston: I've heard you say that before, sir, but as a trustee, I know that the money that is being supplied today has caused the school boards to cut out the most essential of programs.

Mr Hardeman: I'd just like to ask you, first of all, are you suggesting that presently there is more than enough religion taught in the public system, that no one should have to make that choice to have other types of education or other choices for the parents?

Dr Johnston: Obviously, you don't realize there is no religion taught in the public schools. There is a program called Education about Religion, which has been approved by the Supreme Court, which is on the books, in which there are the principles set forth in books by the government.

Mr Hardeman: Your position, then, is that's sufficient; no parent should need to make their choice that they want more of something in their children's education than—

Dr Johnston: I firmly believe this. I would say that if the Education about Religion program, whether discrete or not, had been applied, if the government—and I'm talking about the present government—had provided curricula and monies to train teachers in the particular facet, we would not have the problem that we're having today.

The Chair: Thank you very much. We've run out of time. On behalf of the committee, thank you very much for your presentation this afternoon.

Mr Kennedy: Our caucus?

The Chair: I'm sorry. Dr Johnston, I'm sorry; I forgot about the official opposition. I apologize.

Mr Kennedy: We know we are actually top of mind for you, Mr Chair. We take no personal offence whatsoever.

Dr Johnston, I want to ask you about how you see the two dimensions of this. There's been discussion—and you've addressed the religious question. About 70% of the benefit of this tax credit, if you look at it, is actually going to groups who are not being brought forward here today. They're not being contacted in advance and they're not being asked to present themselves. The government wants to kind of, I guess, hide them away a bit. That's private secular schools.

I want to rely a little bit on your experience within the school system and ask you how damaging it could be to have private groups, whether it is companies or other types of groups, operating and offering unregulated edu-

cation, unchecked education of any variety. Because this bill, the one that we have in front of us, is a wide-open exemption to public education. What might that do to the ethic that you're talking about? I think the ethic you're talking about is broader than the religious ethic.

Dr Johnston: One word: awful. It would be a destruction to the way we understand as life as we've known it in this province. Let me point out, we talk about, for instance, the Buddhists. All three Buddhist organizations in this province stand with me and what I have said today. They do not want private Buddhist schools.

We've heard from Jewish organizations—they are a minority, but they're nevertheless very much a part of this—who say, "We don't want tax credits." In my interfaith group—I shouldn't say "mine"—in our interfaith group, we have all of these organizations represented. There is a wide divergence. There is no one group which says, "We want tax credits." Who wants tax credits are the majority of Jewish schools, as far as I can see, the majority of Christian Reformed or Christian schools and some of the schools who follow the Koran.

To carry this further and to say that persons who are going to do this for profit—and I know schools near Woodville, Ontario, which are being operated for profit. Goodness knows what's being taught, but nevertheless they're for profit. This would destroy, I feel—and the government, by not setting forth regulations which are important—is undermining what we stand for here in Ontario.

The Chair: Thank you very much, and I apologize for forgetting about the official opposition.

Mr Kennedy: Just give us double time next time.

The Chair: Yes. My mistake. I guess a lapse of memory here.

GREG REID

The Chair: Our next presentation is from the Ontario Parent Council. I would ask the presenter or presenters to come forward and state your name for the record. On behalf of the committee, welcome.

Mr Greg Reid: Thank you very much, Mr Chairman, honoured members of the committee. My name is Greg Reid. I'm the chair of the Ontario Parent Council for education. First and foremost, I am a parent of two boys I'm very proud of, one in secondary school, one in elementary school, in the Niagara region. I've been very active as a volunteer in the Niagara district at the school level, particularly the elementary school level, for the last seven or eight years. My involvement at the school council level led me to my current involvement in the Ontario Parent Council as a parent representative.

I want to point out a couple of things right off the bat. The Ontario Parent Council is currently under a restructuring process. We just had a meeting last week, which was only our second meeting of our full new council. It's comprised of 20 members from all walks of life. All of us have one thing in common: we consider our children's education first and foremost, and volunteer a lot of time

and hours to looking into aspects of our children's education and to volunteering in the school system.

The council as such, when we met last weekend, chose not to take a formal position at this time on the issue of tax credits, the main reason being that we are a council that is tasked with reporting parental concerns and encouraging parental involvement in the education system. We consult with the education minister on issues of parental concern, and as this was felt to be more of an issue of finance or of fiscal concern at this point, and as we did not have it previously scheduled on our agenda, we chose not to take a position at this time. So I'm here as an individual parent today to express my opinions on how this legislation is going to impact my sons in particular.

Let me begin by saying that one thing that did come up in discussion at our council meeting last week was the issue of choice in education. It's an issue that I'm very well ensconced in, having a son who was faced, only a couple of years ago, with a choice of where he wanted to go and what he wanted to do in secondary school education. My son's choice consisted of this: he had a presentation made by the high school principal of the district we lived in. There was a presentation made by a principal from a different district whose school offered a separate curricular program called the international baccalaureate program, and as it offered this program, the school was open to any student for application for the program. The third choice he had in education, when it came time to choose his secondary school, was a Catholic school in Welland, by the name of Notre Dame, with a very good reputation in the community, a proud sports tradition and particularly well known for its computer programs. It has just built a whole wing of the school that's dedicated to computer programs and computer learning.

To say that there's no choice in the education system right now would be a misnomer, but to say that the choices are very, very limited for parents would be a very accurate statement to make. When my son and I attended a grade 8 forum where the principal of the high school from his district was making a presentation, he came away less than happy about the possibility of attending that school. The principal of the school in his presentation made many references to how inadequately prepared he felt the school was in terms of implementing new curriculum, in terms of budgets for things like textbooks. Basically, he left us with a pretty negative impression of what school life would be at that particular school.

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The principal of the school my son wound up attending, which offers an international baccalaureate program, was very positive. In the midst of all the change that was going on, the implementation of the new curriculum, all the changes that were taking place in education and at a very rapid pace, he chose to see the glass as half full and advised us in that meeting, in that forum, that they were downloading information as quick as they could from the Internet with regard to new curriculum documents. The

teachers were actively working on them. He felt very upbeat about the potential for a good school year coming up.

My son attended that forum and came away with a much better impression of that school than the original presentation he'd received from the school in his district. At that point he had made up his mind. When he told me that he had made up his mind where he wanted to attend and that he wanted to take on the challenge of this international baccalaureate program, we visited with the principal of the school in our district which we were required to attend and had a meeting with him, a meeting that stretched for over an hour and a half as he tried to dissuade my son from attending this other school.

My son wound up having to sign a document that said that if he were to attend this other school to participate in the international baccalaureate program, he would have to participate in it fully, and if at any time he chose to either drop a portion of the program or drop out of the international baccalaureate program completely, he would have to return to the school of his own district.

That wasn't much of a choice for my son. He didn't see that school as being the best school for his particular interests. He saw the other school as being such. The international baccalaureate program that's offered at the school he's now attending allows for kids to drop out of certain programs and still maintain standing in other particular programs in the IB program without jeopardizing their standing at the school.

Faced with that kind of a choice, he signed the document even though he didn't feel good about it, because it was restricting his choices as he went through the school system. He came away with a clear sense that he didn't really control his own destiny in secondary school education and that it was going to be a very difficult stretch for him because he was now making a commitment that four years out he was going to have to live up to in order to have the choice of what school he wanted to attend.

Ultimately, I became a member of the school council at the school he's now attending. I heard of different situations where parents had children who were entered into private school education in the area at a very well-respected private school, and had chosen to pull their kids out of the private school to go to the public system. So I've seen both sides of the coin.

What galvanized the issue for me mostly was in discussions with other people I've encountered, other friends I have, other people I've encountered being a member of the Ontario Parent Council who also suffered the lack of choice, and as such the school system was not being accountable to them as parents, as taxpayers. They were limited in what response they could have to it.

An individual approached me who was the chair of a school council at an elementary public school in Toronto. He said that he and the principal didn't see eye to eye on some of the terms of the school council, how it operated, operating procedures, meeting procedures. When he said that he was the chair of the council and as such he was going to set the agenda at the pleasure of the council and not at the principal's whim, he was subsequently in-

formed that his children were no longer welcome at the school.

They had found a loophole that, four years before, he had moved outside the district and would now have to move his kids to a different school in September of the following year. Basically he was blackmailed into taking his kids out of the school, a school they had attended for eight years.

Another friend of mine approached me and said—and I've discussed this with a lot of individuals who have come to the same conclusions—he was upset with the public system the way it existed. He wasn't receiving the answers he wanted to receive that he considered adequate to his questions when his grade 7 son was placed in a class with 40 other kids. He did not feel the teacher had time to spend on remedial help with some of the kids, himself included. When this individual went through the proper steps of protocol in registering his concerns—he spoke to the principal of the school and the trustee, he wrote the director of the board—he didn't receive anything back in terms of an adequate description as to why there were 41 kids in this class. He felt he'd run into a brick wall and, as such, he started looking at his options.

Given his economic circumstances, his only option wasn't the well-to-do or, shall we say, higher-priced private school in our area, but it was a Christian college that offered tuitions of approximately \$6,000 for students. When he pulled his son out of the school, it was like he had entered into a black hole. Nobody talked to him from the school. Nobody talked to him from the board. Nobody talked to him from any aspect of public education as to why he left, why his son felt he had to leave to get a better education, what caused him to leave or what it would take to get him back into public education.

At the private Christian school he chose to attend, he very quickly fitted in. The student became very pleased with the education and attention he was getting, with all aspects of school life at this particular academy. When he started telling some of his friends from his old classroom about it and they started spreading the word to their parents, three others followed him in short order, within months of his leaving the school, and not one of those individuals received any form of contact as well from the public education system, from teachers, principals, trustees or board administrators. They just disappeared into the black hole.

In fact, in the last 15 years private school enrolment in Ontario has increased 34%. Despite that, it still only amounts to 5% of the entire student enrolment in Ontario, but it's growing rapidly.

Mr Chairman and committee members, what I'm saying is, given the lack of choice for parents and students in education, given the fact they are told where they have to attend school, under what terms they have to attend school, under what terms they're welcome at those schools in some situations, parents become very upset. They become distraught at the fact they don't feel they are in control of their own children's education. If

anybody here is looking for a reason why children are leaving the public system, in some cases the public system doesn't fit them and it doesn't have the answers they want with regard to their education.

I see this tax credit issue as an opportunity for the public system. I guess I'll relate it a little bit to my business background. I've been in sales and marketing all of my life, and any time I lose a customer or am threatened with losing a customer to a competitor, I'd like to find out why. I'd like to know the circumstances that are causing my customer to consider leaving and what it would take to get him back and retain him as a customer, what would make him happy, if I can answer any questions that may be of concern in order to prevent him from leaving.

The opportunity I see for the public system, given this tax credit situation, is that there's a five-year phase-in period for the tax credit. I consider that a five-year shot across the bow for the public system in terms of being able to say, "We need to develop an immediate and a five-year plan to address why in an independent poll published in the *Globe and Mail* 72% of Ontarians feel their children would get a better education in private school than in public."

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These are issues that just aren't going away. The issue of enrolment in private schools is increasing. Given the fact there is now on the table an opportunity for more parental choice in the system, which I happen to agree with, there really needs to be an examination by the public system of why, and if anything good can come out of this entire situation for the public system, it's the recognition that they have an opportunity over five years before this program becomes fully implemented and they can take a look at their situation and say, "Hey, how can we improve? How can we communicate better with the people who are leaving? How can we make it a better situation for all of the students in this province so as to preclude any further decimation of the public system?"

I see the light on.

The Chair: No, no, that's fine, if you're not finished. You've still got approximately five minutes.

Mr Reid: There are a couple of other issues I'd like to address very quickly, the first one being the lack of competition in the school system. I myself was subjected to a principal who chose to deal with a situation I brought to her attention by saying that if I didn't like it, I could remove my son from the school and go anywhere I wanted, that she would sign a release and allow me to do so. I was simply seeking clarification on an issue that occurred in the school classroom. This lack of accountability, this lack of communication with people who are having difficulties with the school system or who ask questions of it and don't get answers is extremely frustrating to parents, and again they feel they're losing control over their own children's education. Given the fact that most parents would probably throw themselves in front of a bullet for their children, it's something that is very concerning to all.

Seventy-two per cent is the number that was published in this poll in the *Globe and Mail*. It was an independent poll, not skewed to any direction, that said 72% of Ontarians feel they would get a better education for their children in the private system than they would in the public system.

I think the breaking point for a lot of parents in the system has been the constant labour disruptions in publicly funded education, particularly in the last five or six years. One of the breaking points for me where I started to seriously question my commitment to publicly funded education came during the strike in 1997, the illegal walkout by teachers at the behest of the unions, when my sons were being used as a political pawn in the negotiations and the ongoing dispute between the federations and the government of the day.

To draw an analogy, you might go back to the baseball strike where the world series was cancelled one year and the attendance subsequently at baseball games has never really recovered in the last 10 years. A lot of parents feel the same way after that strike in 1997, that again they don't have control over their children's education and they feel ostracized by the entire system. They feel disappointed in the system and they start to look for alternatives. They look for choice. They look for ways of getting the best of what they can get for their children out of the system.

I don't want anybody to misconstrue the fact that I give my total support to the publicly funded education system. In spite of the slams I've endured personally and that I have heard from other people from the system, we want to work to make it better. One of the things we think will make it better is to have some accountability brought into the system by allowing parents choice over where their children attend school and, as such, many of us support this tax credit initiative.

The Chair: You have one minute left.

Mr Reid: OK. I just want to summarize by saying that some of the other factors in this budget have not been well publicized, and yet they have a lot of bearing on parents with children in education. My older son is classified in that "double cohort" group. He's currently in grade 10 and will graduate at the same time as the OAC year when double the number of children will graduate in one year. I was very pleased to see in the budget that over \$2 billion has now been collectively invested into expanding post-secondary education in the province—through the SuperBuild Corp and through other initiatives—over \$2 billion expended to make sure that parents and children are confident that there are spaces available. This money investment is going to free up or create 73,000 new spaces in post-secondary education. Initiatives like this are very concerning as well for parents, because there is a lot of conjecture out there about the double-cohort year.

The Chair: I'll give you 30 seconds to wrap up, because we are running out of time.

Mr Reid: As such, this is an issue that bears much more public scrutiny. In spite of all this money being

spent, the concern that parents have about the double-cohort year is that there are adequate numbers of instructors to go along with the spaces that have been created. We are following the issue on a close basis and will continue to do so through the creation of it. I'd like to thank you all for the opportunity to come here today.

The Chair: On behalf of the committee, I would like to thank you for your presentation this afternoon.

Mr Reid: I was under the impression there was 20 minutes.

The Chair: We've used the 20 minutes.

Mr Kennedy: On a point of order, Mr Chair: We have an agenda in front of us where it says the Ontario Parent Council is represented. I'm asking for the Chair, maybe through the staff, to ascertain for us later on whether Mr Reid was here in that capacity; I thought I heard him say that he was not. I know he's a past candidate and so on in political parties and that kind of thing. But in what capacity was he here today? The Ontario Parent Council is a public body. I just want to ascertain whether he was here in that capacity or not.

Mr Reid: Mr Chair, I might clarify that. When I put my name forward, I did it as an individual.

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WILLIAM CLARK

The Chair: I would ask Mr William Clark to please come forward and state your name for the record. On behalf of the committee, welcome.

Mr William Clark: My name is William Clark. I'm a resident of St Catharines, a father, a taxpayer and an educator. I thank you for the opportunity to address this committee, particularly in view of the fact that I'm a teacher in the secondary panel of the public education system. However, I'm here as a private citizen, not as an OSSTF representative. I will be presenting my own views as a taxpayer, a father and an educator.

I entered the educational system in 1973, taught for three years and then was attracted to private industry. After a 25-year career in shipbuilding, specifically the computer management aspect of shipbuilding, I took advantage of the opportunity created by Bill 160 to return to the classroom to teach others how to do what I'd done for 25 years. I thank the government for the opportunity due to the outflow of teachers caused by Bill 160. It should also be noted, gentlemen and ladies, that in the transition from private industry to education my pay package went down significantly and my workload went up. I've seen it from both sides.

I'd also like to reflect on the fact that in 1995 I had the opportunity to speak privately with Mr Mike Harris, our Premier. His wife was the sponsor for a ship that was being christened at my then-employer. At a reception after the ceremony, Mr Harris and I struck up a conversation. It happened to be the day after Brian Tobin announced to the world that he was going to run a plebiscite concerning the faith-based education system in Newfoundland.

I asked Mr Harris if indeed he had the gumption to do that in Ontario, because I reflected that indeed there were four school buses that went by my house in the morning. There were two principals of high schools, one in the Catholic system and one in the Protestant system. Surely there must be some savings to be had by amalgamating all educational systems into one. Mr Harris, bless his heart, said, "The Catholic issue is entrenched in the British North America Act. It is a politically dicey one to attack. However, we are looking at public education and we indeed will shake it up." Ladies and gentlemen, he certainly has kept his word.

The scope of my presentation is to address issues associated with the proposed legislation, Bill 45. In particular, I'm interested in the educational vouchers that are hidden deep within that bill. I'm not going to speak about choice, obligation, commitment, religious freedom, partial funding, full funding, charter of rights, accountability, teacher certification, curriculum, Texas, Milwaukee or any other examples of educational systems that have gone wrong. You'll hear plenty of that from others.

Instead, let me share with you my experiences from the trenches. What's it like to be a teacher teaching in a school under the influence of this government's policies? Because of the changes in the taxation methods, we now have centralized control, decentralized blame. The government controls the money centrally. When things go wrong, the government blames the local school boards, the teachers or the support workers for the problems.

The central, government-controlled public education spending has been reduced by 15% since the current government has taken office, down \$2.4 billion dollars from the extrapolated 1995 levels. The government is now in a position to legally starve public education by virtue of the dreaded funding formula. The local school boards are at the direct mercy of the Minister of Education—or is that the Minister of Finance?

School boards are required to manage their affairs with the funds allocated to them. They may not legally run a deficit. They can't levy taxes; doing so would result in personal fines of up to \$5,000 and other significant consequences. How do the school boards cope with this? They cut programs. They cut staff. They cut services. They cut, cut, cut.

At Collegiate, where I teach, down the street here, our library is rarely open. We don't have a full-time librarian. Until recently, my computer lab was outfitted with significantly old technology, antiques that would have been retired long ago in industry. As for the computer allocation to schools, the funding formula provides for the renewal of computer technology every five years. Each school is allocated one computer for every 10 students plus three labs of 21 computers. Fortunately, my lab was recently upgraded with 21 brand new computers. I was in heaven. But I started out the semester with two classes that each had 30 students. You do the math.

The new curriculum that is being introduced by the government is so significantly intertwined with the

Internet that in order to properly fulfill the requirements of most of the classes—not just computer classes; I'm talking about math class, English class and careers—there really should be an Internet-ready computer on every desk in every room of every school, if we wanted to do our job properly. Yet the government is providing sufficient funds to give the computer class 21 computers, to run a class with 30 students.

Let's talk about textbooks. The funding formula provides monies to purchase texts for the core subjects of the new curriculum, math, English. Surprisingly in this day and age, the computer classes are not part of the core subjects. I have no textbooks. How do I survive? Let me show you. This is the material I have to prepare. Actually, these two books represent my preparation work for one semester. I don't have a textbook.

Let's talk about morale. How much money did this government spend on province-wide advertising to publicly denigrate teachers in the last five years? Teaching used to be an honoured profession. Now, thanks to this government, it is not.

Let's talk about pay issues. My colleagues—and I've only been in teaching now two years—have had one pay raise in the last 10 years. My daughter, who successfully graduated from the Ontario public education system almost exactly a year ago today, now earns more money than my colleagues with five to seven years of experience. My daughter has one degree. My colleagues have two.

Let me talk about workload. I'm required by law to deliver 1,250 minutes of material per week. That's only 20.83 hours per week. What a soft job I have. But for each hour of class time, a good teacher—and I'm trying desperately to be a good teacher—will spend at least two hours in preparation and/or marking. Now let me do the math: 20.83 hours of class, 62.5 hours of work per week, and that doesn't count talking to parents, going to meetings with guidance councillors, administration, giving extra help to students and coaching.

Ha, coaching: extracurricular activities. This year, I gave the government the benefit of the doubt. Bill 74 mandates that I must teach 6.67 credits per year. To accommodate this increase from six credits, I was given a workload increase of 33% and a workweek reduction of 6.5 hours, all in the name of increased excellence in education. Instead of 90 kids I've got 120. How can that possibly increase excellence in education?

Mr Marchese: It's more contact time.

Mr Clark: Right. And while indeed in my first semester, ladies and gentlemen, I was teaching five different subjects, four thanks to the 6.67 load, and one of my classes had two groups of 15 students, a grade 12 and a grade 13, I managed to coach two sports. Never again. There just are not enough hours in the day. It just about killed me.

Speaking of the 6.67 issue, which seems to be a hot button, what a stupid way to force Ontario teachers to fulfill their legal obligation of 1,250 instructional minutes per week. It's been rumoured the Minister of Education is currently proposing a workload of 6.25 classes per

school year in order to restore extracurricular activities. Does that really mean we're going to subject some of our students to taking a semester with four different teachers? Part of being a good teacher is building a relationship with a student. How am I supposed to do that in a quarter of a semester?

I still have not addressed standardized tests, teacher testing, literacy tests, new curriculum, the speed of change, quality of materials coming from the ministry, if indeed the materials do come from the ministry at all, or the teacher recertification program announced just yesterday. When I showed my wife this document yesterday, which is the press release on teacher recertification—my wife happens to be a very good, competent teacher; you don't want to lose her—she burst into tears. Just in case you guys haven't read this yet, let me read a couple of paragraphs from it. It's a news release dated June 7, 2001.

"Toronto: to continue to improve student achievement, approximately 40,000 practising classroom teachers and 6,500 new teachers will be the first to participate in a proposed new mandatory recertification program announced today by Education Minister Janet Ecker.

"The proposed recertification program would require all teachers to successfully complete seven core courses and seven elective courses as part of professional development" every five years. I am now putting in 60 to 65 hours a week. Do you expect me to do these 14 courses? When am I supposed to do them? When I sleep? Am I supposed to give up sleeping in order to achieve this, all in the name of increased quality of education?

1550

Last summer and the summer before, both my wife and I participated in an OTF-run summer institute. So did thousands of other high school teachers. We did it on our own time, at our own expense and without pay. The ministry provided some of the funding to facilitate this retraining, and for that I am very appreciative. Unfortunately, I and more than 300 other teachers who applied were unable to participate in a particular high-demand workshop held at the University of Waterloo. It seems the ministry provided sufficient funds for only 50 participants, but there were 350 applicants. Does it not make sense, and I mean common sense, that if 300 public educators were willing to take this course on their own time and without pay, the ministry could at least expand the funding to accommodate that demand? It's interesting to note that that course is being offered again this year, and indeed there are 50 places available. However, there's a \$50 tuition fee in order to reduce demand: centralized control; decentralized blame.

Unfortunately, I digress. I'd better get back on topic. This government is very good at downloading the traditional, moral and financial obligations of the province to other levels of government and/or individual taxpayers. Just ask Mel Lastman or any other non-provincial politician.

I view the proposed indirect educational voucher as yet another example of this downloading. The govern-

ment kicks in 3,500 bucks and daddy or mommy kicks in the rest. The parents pay for part of the education that used to be the province's obligation.

Bill 45 is indeed a bribe to parents: "Take your kids out of the public education system. The province will subsidize you up to 3,500 bucks" in five years. "The province will subsidize you up to 3,500 bucks" in five years. I said that. "Look how lousy the public education system is. Let's help you get your kids into private education so you can get away from that awful public education system. Let's help you help us bring an end to the public education system." That's what I see here.

For each parent who chooses to do this, that dreaded funding formula will send approximately \$7,000 less to the public system. Let me do the math. You pay \$3,500. You save \$7,000. The province actually pockets \$3,500 in the transaction. That's after the five years. This year, you pay \$700 and save \$7,000, the province pocketing \$6,300. A good tax grab, Mike.

Suppose seven of my students—less than 1% of my school—accept the bribe, leave my school and go to Ridley or some other private institution. My school will receive \$24,500 less next year. Over the next five years, that amounts to \$122,500 less. In that same five-year period, my school will be allocated approximately 130 new computers, based on the funding formula. The lost funds, caused by less than 1% of my students going to private education, will mean a loss of enough money to purchase all 130 computers—centralized control; decentralized blame.

The voucher system will lead to the eventual destruction of public education.

I wish to present only one additional point concerning Bill 45. Earlier this year my Premier, the Premier of this fair province, was credited with saying, and I quote, "They"—vouchers—"have never been espoused by me or the Minister of Education, nor have I seen a suggestion anywhere around the cabinet table, nor do I think it will come as long as I'm Premier."

Mr Marchese: That was then.

Mr Clark: That's a direct quote. Bill 45 proposes a tax credit scheme that is nothing more than a paperless voucher. The mechanics are slightly different than a normal voucher system, but there is no denying that this is indeed a voucher system.

Let me quote again: "Nor do I think it will come as long as I'm Premier." I firmly believe that the current government does not have the moral right to enable this legislation, legislation that will change the entire fabric of equal accessibility to all to an educational system regardless of gender, race, religion, ethnicity or economic background.

This proposal is 180 degrees out of phase with the government's policy upon which they were elected. If this government truly believes that this change is in the best interests of Ontario and of the youth of Ontario, then please have the courage to put it to a vote as did Brian Tobin in Newfoundland. Hold a referendum on the subject and only on this subject. Let the people of the province decide.

The Chair: With that, we've run out of time. On behalf of the committee, thank you very much for your presentation this afternoon.

DALTON LINDSAY

The Chair: The last presenter is Dalton Lindsay. Is Mr Lindsay in the audience? Welcome. Could you please state your name for the record. On behalf of the committee, again, welcome.

Mr Dalton Lindsay: My name is Dalton Lindsay. But my presentation wasn't on the education question.

The Chair: As long as it deals with Bill 45.

Mr Lindsay: Mine is on the small business tax relief. While it is encouraging that the provincial government is continuing to reduce taxes, there is still much to do. Some of the things that small business—and in fact business in general—is experiencing are the multitude of forms and papers required by the various levels of government. Duplication of information and reports to the province and federal government, as well as those originating from the local levels, is beyond excessive. The small business person has no time to look after his own business. He is too busy complying to all the various levels of governments to ensure that he has sent in all his taxes and all his fees.

The province has done a good job of downloading local items to the region and municipal governments. Unfortunately, these governments have downloaded all the expenses to the business community. Our mayor likes to say that personal residential taxes have not increased for the past 10 years, but this is not so for the business community. They have been taking the brunt of the increases.

Perhaps I should start first on the paperwork that is required by local small business people. Surely the federal and provincial governments could exchange information on companies and not require the duplication of reporting that goes on; also share audits of businesses, not have the province audit the business this year and then the feds come back and audit the business again next year.

Next is the layer upon layer of taxes that are required by small businesses: corporate tax, GST, in some cases PST, the EHT, just to name a few. There are also local business taxes, waste management fees, inspection tax, development fees and environmental fees, just to name some of the things the region and municipalities have downloaded on to small business. If you do something today, there is a fee to a government. This endless reporting and completion of forms requires small business people to keep their accountant close at hand. But who pays the accountant? Certainly not any of the levels of government that keep manufacturing the reports, the taxes and the fees.

It is nice to see the capital tax eliminated for projects under \$5 million, but it does not take a very large project to be in excess of this amount. I would recommend this level be increased to at least to \$20 million.

1600

Please continue to reduce the red tape that is hindering and costing the small business so much in time and money. The province is doing a good job, but more must be done at the federal, regional and municipal levels. It seems that when the province eliminates a tax or a report, the other levels add two.

The margins are so thin for small business that many can't survive and are being taken over by large corporations that can afford controllers and accountants to provide the reports and multiple fees and taxes demanded by governments today.

The downloading by the province gave the regional and municipal governments a blank cheque to tax and charge businesses for anything they can think of. They do not want to increase taxes on personal property, because it is politically embarrassing, but it is easy to make small business foot the bill.

In summary, any reduction or elimination of tax for business is welcome. Cut more red tape and duplication of reports. Use modern technology as much as possible; ie, small businesses cannot use electronic filing for tax returns. Why not? Thanks for the positive steps that have been taken to date. But please, please do more. Thank you for having me address this forum today.

The Chair: Thank you very much. We have approximately three and a half minutes per caucus.

Mr Galt: As you were going through some of the red tape and taxes, it brought memories for me of when I practised back in the 1960s. I thought there was way too much at that time. Of course, it has escalated a long ways since then.

One of the problems government has is a balance of enough information, which some people would call red tape, against having that information to protect themselves. Most governments don't want to end up in a situation like HRDC did about a year ago and the hammering that Jane Stewart took at the time. I think you can appreciate and understand that.

I toured my local councils—I'm from east of Toronto—back in the spring. The number one red tape issue at that time had to do with SuperBuild, that one of the forms was some 44 pages long. I took it to SuperBuild—I have this verbally right now, not in writing—and they were looking at reducing it by a third because of my writing to them expressing concerns coming from my municipal councils.

I would recommend that you list some of the items that you're seeing and make it known to them. They're certainly very active and very responsive. They've been doing quite a bit for our government. That's sort of a suggestion for you.

The question I would like to direct to you: as a small business person, you talked about the tax cuts. What did it do for you and for other people who you know in business, in small industries and small business in your area?

Mr Lindsay: I think it helped offset some of the fees and expenses and increased taxes that the municipal and

regional governments have put on. Unfortunately, when the province reduced the rates, the other municipalities and the region increased theirs. All it really did was maybe kept the status quo or it increased a little bit. The local governments just increased their fees, that's all. They did it under the presumption that, "The province is downloading to us so we are downloading!"—

Mr Galt: That's a great word they play with, "downloading." I could walk through all the steps and demonstrate to you that instead of downloading, it has really been uploading. They're using that as an excuse for some of their inefficient operations.

Mr Kwinter: I want to follow up on your last comment because I hear that a lot. I hear that the government, with their red tape and with everything else, makes this great thing with the tax cuts they're giving to corporations and to small business, and then, as you say, they download it on to the next level or two levels and you find, as you've just stated, not only does your overall expenditure on taxes not go down, in some cases they've gone up because of this downloading.

I'll give you an example. There are some real discrepancies when it comes to the educational portion of your realty tax as your assessment is a business. That has gone up quite dramatically, and not only has it gone up but it's disproportionate to some of your neighbourhood communities or other places in Ontario. It's exactly the same business occupying exactly the same type of location, but there is this discrepancy. Have you found that?

Mr Lindsay: Yes. The thing we noticed about businesses in Niagara is they seem to be going out because of the high municipal and regional taxes on them. We've lost several large firms that have gone either to the States or somewhere else. Niagara is one of the highest-taxed business areas. I think out of the 16 regions, we're 15th or something like that. So this is driving business away.

Mr Kwinter: I also heard you complaining about, notwithstanding there was a Red Tape Commission and they're supposed to be cutting red tape, it's still a major concern of yours, all of the forms, the reporting and the duplication that is still going on.

Mr Lindsay: I talked to my accountant today, and he said, "I like it because it keeps me in business." What small business can afford to have an accountant who has to get all these forms filled out all the time? It's impossible. You're just driving the small business person out of business really.

Mr Marchese: Mr Lindsay, the corporate sector always laments they're paying too much tax. Small business and medium-sized business say, "My God, we're getting killed with taxes." Who, in your view, should pay taxes or a sufficient amount of taxes to be able to have a good-quality education system, good-quality health care, good-quality social service that provides for our seniors and others? How do we raise the money for these things?

Mr Lindsay: Business profits for small business are so marginally thin today that this is the reason so many are going out of business and can't keep up, and then to augment that with all this government bureaucratic

reporting, the fees, the taxes and the various levels of taxes makes it so onerous that they just go out of business.

Mr Marchese: I remember the auditor saying a couple of years ago there was about \$4 billion or \$5 billion that was not collected from the small business sector.

Mr Lindsay: They probably went out of business. They're not there any more. How are you going to collect them?

Mr Marchese: I don't think that's what he said. I think he said if we had more people to go out there and collect, we'd probably be able to get a few more dollars from that sector. Do you think he was wrong?

Mr Lindsay: Yes. I doubt it.

Mr Marchese: Maybe we need more, is that it? What do you think? Was he wrong?

Mr Lindsay: I don't think we need more government red tape and more government taxation—not to keep the business community alive anyway.

The Chair: Mr Lindsay, on behalf of the committee, thank you very much for your presentation this afternoon.

First of all, I would like to thank all the participants and the board members today for your co-operation. I would also point out that this committee will resume consultation on Monday, June 11, at 9 am in room 151 at Queen's Park, Toronto.

Mr Bradley: Mr Chairman, I just have a quick point of order for you because I know you'd want me to share this with you. I did want to indicate to you the great disappointment of the regional municipality of Niagara being unable to make a presentation to our committee today. I just wanted to share that with you in case you can share it with someone else who would help us out.

The Chair: Thank you. We're now adjourned until Monday morning.

The committee adjourned at 1609.

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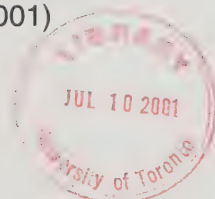
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Standing committee on finance and economic affairs

Responsible Choices for Growth
and Accountability Act
(2001 Budget), 2001

Comité permanent des finances et des affaires économiques

Loi de 2001
sur des choix réfléchis
favorisant la croissance
et la responsabilisation
(budget de 2001)



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STANDING COMMITTEE ON
FINANCE AND ECONOMIC AFFAIRSCOMITÉ PERMANENT DES FINANCES
ET DES AFFAIRES ÉCONOMIQUES

Monday 11 June 2001

Lundi 11 juin 2001

*The committee met at 0901 in room 151.*RESPONSIBLE CHOICES FOR GROWTH
AND ACCOUNTABILITY ACT
(2001 BUDGET), 2001LOI DE 2001
SUR DES CHOIX RÉFLÉCHIS
FAVORISANT LA CROISSANCE
ET LA RESPONSABILISATION
(BUDGET DE 2001)

Consideration of Bill 45, An Act to implement measures contained in the 2001 Budget and to amend various statutes / Projet de loi 45, Loi mettant en oeuvre des mesures mentionnées dans le budget de 2001 et modifiant diverses lois.

The Chair (Mr Marcel Beaubien): If I can get everyone's attention, please, it's 9 o'clock and I would like to bring the committee to order. This is the second day of hearings of the standing committee on finance and economic affairs dealing with Bill 45.

I see that the Minister of Finance is on time this morning. We appreciate that, Minister, and on behalf of the committee, welcome. You have 30 minutes for your presentation this morning.

STATEMENT BY THE MINISTRY
AND RESPONSES

Hon Jim Flaherty (Deputy Premier, Minister of Finance): Good morning, Chair and members. Thank you for the opportunity to speak to the budget bill, Bill 45, this morning.

On May 9, I had the great pleasure to introduce my first provincial budget in the Legislature. Today I would like to review some of the responsible choices we made in that budget, choices that will enable Ontario to grow and prosper and, in some cases, make history.

Historically, our budget marked the first time in nearly 100 years that an Ontario government had presented three balanced budgets in a row. Historically, it recorded the largest debt payment in the history of the province: \$3 billion.

It set out a plan of fiscal responsibility, accountability and growth. If passed, Bill 45, the Responsible Choices for Growth and Accountability Act, 2001, will help set

that plan in motion. It's an important plan for the future of the province, a plan crafted for the benefit of the people of Ontario, today and into the future.

On May 9, our three children sat in the Legislature's gallery to watch me deliver my first budget. Their presence reminded me that our children are our future, that the responsible choices and decisions we make today will benefit them. I want to ensure that all of our children inherit a province with its financial house in order. It's the responsible thing to do. Responsible choices—that's what Bill 45 is all about.

If I may, I'd like to address the matter of the equity in education tax credit. In the weeks following the budget, there has been substantial coverage and discussion about the equity in education tax credit. The 2001 budget promises parents flexibility and choice in the education of their children. Many parents have told us they want their children educated in their own culture and religion. The tax credit would help provide them with that choice.

It will also bring Ontario in line with other provinces that support parental choice. Those provinces include British Columbia, Alberta, Saskatchewan, Manitoba and Quebec. Funding for independent schools in other provinces has not caused an exodus of students from the public system. Both British Columbia and Manitoba introduced their grant programs in 1989, more than 10 years ago, and have not experienced a significant change in the proportion of children enrolled in the public system. We expect the experience in Ontario to be much the same.

Choice in the education system is something parents have been asking for. It's an issue I've heard about as an MPP for years. I would suggest that virtually all MPPs have heard about the need for greater choice in education from their own constituents. Since May 9, our office has received numerous letters and e-mails in support of the tax credit and educational choice. These letters tell us about the financial sacrifices made by ordinary, hard-working parents in order to send their children to independent schools. They offer thanks from honest, hard-working and middle-class families who feel the government has finally recognized the importance of educational choice. Also, these parents want to know which schools will be eligible. They want to know what the criteria will be. Consultations will identify the appropriate framework for establishing eligibility for the tax credit.

Let me be perfectly clear: public education continues to be a main priority for this government. Public education in Ontario includes public, Catholic and francophone schools. We have demonstrated that commitment clearly. Public education in Ontario is fully funded. In fact, we're providing more than \$360 million in additional funding for the public education system in the fiscal year 2001-02. Since 1995, we've increased funding from \$12.9 billion to \$13.8 billion per annum.

I address briefly the issue of tax cuts, tax reductions, in this year's budget. This government firmly believes that tax dollars belong to the people of Ontario, not the government. We realize that government can't give you anything that government hasn't taken away from you in the first place.

The 2001 budget proposes further personal income tax cuts. This budget completes the 20% personal income tax cut which we promised in 1999. Some 95% of taxpayers, virtually everyone earning less than \$100,000 a year, would see at least a 20% personal income tax cut.

Tax cuts help lower-income families. The tax cuts proposed in the budget would bring to 735,000 the number of low-income earners who would no longer pay taxes to the government of Ontario. These same 735,000 people, regrettably, would continue to pay taxes to the federal government.

A few words about the surtax: the Ontario surtax hits taxpayers with incomes that start at \$54,000. People at this income level are by no means rich. These are middle-class individuals and families. Raising the surtax threshold in 2003, as proposed in the budget this year, means the surtax would no longer be payable on earnings below \$70,000. Personal income tax cuts are part of our pro-growth plan to promote economic growth and financial security. Even the federal government is starting to realize the benefits of cutting taxes. Paul Martin, the federal finance minister, stated that "Tax reduction is essential to secure strong and sustained economic growth." That was in the *Globe and Mail* on February 7, 2000.

In addition, just last week, the new Premier of British Columbia, Gordon Campbell, announced that he will be implementing a provincial personal tax cut of 25%. That tax cut in British Columbia will put approximately \$1.5 billion back into the pockets of most taxpayers in that province.

Ontario paved the way for tax cuts in Canada. I'm proud to say that every province is following our lead. Tax cuts help boost the entire Canadian economy. I remember a time, as others here will, in the early 1990s when one would be mocked for saying, "If you reduce taxes, you will increase economic activity and increase government revenue." Premier Harris showed leadership. He was opposed then and is opposed now by the opposition here with respect to reducing personal income taxes in Ontario. History has proven that Premier Harris was not only correct but also demonstrated leadership, not only for Ontario but for our entire country.

0910

Since we started cutting taxes, our tax revenues have increased by more than \$15 billion. Since we started cutting taxes in 1995, our businesses have created 853,000 net new jobs. That's the entire population of the city of Mississauga. Since we started cutting taxes, business investment in this province has increased by 66%. Private sector economists expect continued growth in Ontario of approximately 2.3% in 2001. They expect economic growth to pick up to 3.6% in 2002.

Virtually all forecasters cite tax cuts as a key reason that Ontario will continue to have a growing economy in 2001. They say tax cuts will help us weather the economic uncertainty in the United States. Ontario today, in 2001, is much better positioned than it was in 1994-95 to withstand economic challenges. We have a diversified economy now and we have a vibrant economy, as opposed to the stagnant economy we inherited when elected in 1995. It is vital to keep that economy going, to keep the momentum going.

To keep the momentum going, our government sent a powerful message to Ontario businesses with the announcement of Ontario's Edge in the budget this year. Ontario's Edge is a package of initiatives aimed at keeping the businesses of this province strong and encouraging new businesses to set up shop here. Enhancing our quality of life is central to the plan's success.

There are four components of Ontario's Edge, and let me speak to two of them today.

The first component is tax cuts for corporations. There was a time in Ontario—I think most people are well beyond that now—when some politicians tried to say, "Corporations over here and individuals over here, and one has nothing to do with the other." Most people now realize that healthy corporations, reducing taxes for corporations, creates investment, creates growth, creates plant expansions, creates new jobs in this province and is good for everyone—all individuals, all families—in Ontario.

The first component is tax cuts for corporations. We are proposing to legislate, if passed, the full schedule for our corporate income tax cuts each year between now and 2005. When completed, these tax cuts would give Ontario a lower combined corporate income tax rate than any of the 50 American states, and no Canadian province would have a lower combined general corporate tax rate than Ontario.

Lower corporate tax rates will encourage businesses to invest more in new facilities and hire more people. Legislating those tax cuts will give businesses more certainty. As members of the Legislature know, given the provisions of the Taxpayer Protection Act, legislating them would require a referendum subsequently in order to increase those taxes in Ontario.

The second component of Ontario's Edge is to start taking steps to eliminate the job-killing capital tax. This was recommended to us by the business tax review panel. They told us that a tax on capital discourages investment of capital. They noted that internationally we're out of

step here. Canada is almost alone in taxing capital. They said the capital tax is a deterrent to attracting international investment.

As a first step, then, toward eliminating the job-killing capital tax, this legislation, if passed, would remove it on the first \$5 million of taxable capital. This would eliminate the tax for more than 11,000 small and medium-sized Ontario businesses.

We've set a goal in this province that within 10 years, Ontario will enjoy the best-performing economy and the highest quality of life in North America. Ontario's Edge and the passage of Bill 45 will help us to achieve that goal.

Since 1995, the province's economy has grown by almost 25% and created a record 853,000 net new jobs. Ontario's recent fiscal performance has been outstanding—the envy of the G7 industrialized world. These economic statistics clearly indicate that our government's economic agenda is on the right track. Our government has laid down a solid foundation of sound economic and fiscal policies that positions us to ride out any slowdown in the United States and indeed to even outpace the United States in terms of growth.

Through personal and business tax cuts that support strong economic growth, through sound fiscal responsibility, through balanced budgets, through government-wide accountability, our government is committed to building on the province's prosperity.

Some would ask, why economic growth, why the emphasis on a vibrant economy instead of a stagnant economy, as we inherited? Economic growth gives us the wherewithal to increase funding on health care, which was done; to increase funding on education, which was done; to have in the budget the provisions with respect to vulnerable persons, the further funding in the future for support workers who care for vulnerable persons, the important funding for residential places. Parents told us—they told all MPPs—how they worry, as their developmentally disabled children grow into adults, about who's going to take care of them when they're gone. We've heard about that for years; that's addressed in this year's budget, at a cost of \$67 million.

What about post-secondary education? We heard repeatedly during the pre-budget consultations, from parents, from educators, from university and college presidents, "Please address the issue of the coming double cohort, of the demographic change with the baby boom echo, of the positive news that more and more young people are choosing to go on into post-secondary education." We did that in the budget this year—a commitment of hundreds of millions of dollars. We were able to do it because of the economic growth spurred by balanced budgets and low, competitive taxes in the province of Ontario.

We will continue to make responsible choices. We will continue to focus on our pledge to make Ontario the best place to live, work and raise a family in the 21st century.

Bill 45 represents the continuation of our plan to build a stronger, more prosperous Ontario.

I look forward to reviewing the ideas and input of the organizations and individuals who have made, are making and will make presentations to this standing committee of the Ontario Legislature.

I thank you and the members, Chair, for the opportunity to make a presentation this morning.

The Chair: Thank you very much, Minister. We have approximately four minutes per caucus. I started with the official opposition on Friday, so I'll start with Mr Marchese today.

Mr Rosario Marchese (Trinity-Spadina): Minister, you're obviously well aware that we've been calling for you to separate the bill so that we could discuss the issue of tax credits to private schools and discuss the financial stuff quite separately. You may know that in St Catharines the majority of people, except one or possibly two, wanted to discuss the issue of tax credits. Is there a reason why there was no interest on your part to separate the bill?

Hon Mr Flaherty: Bill 45 contains numerous provisions, including provisions with respect to post-secondary education, important funding for persons with developmental disabilities, education funding. There are a number of tax credit issues in the bill, dealing with the capital tax, dealing with corporate tax reductions, dealing with personal income tax reductions. The bill covers all of those items; it's not proposed to sever any individual item from the bill.

Mr Marchese: I understood that very clearly. What we were saying to you is that the majority of people really wanted to debate the issue of tax credits, public dollars for private schools, and we were urging you to separate them. But you have no interest in doing that—separate it from the rest.

Hon Mr Flaherty: It's not a question of having no interest; it's a question of a budget bill containing very many items. To start separating out each and every item would prolong matters rather dramatically. We do have to have a budget in the province of Ontario; we do need to move forward with the budget bill. It's important that we have public consultations with respect to the equity in education tax credit. It's excellent that these hearings are taking place right now, and there will of course be further discussions with respect to the regulations that will be necessary, assuming Bill 45 is passed.

0920

Mr Marchese: You're also aware that quite a while ago your Minister of Education and your Premier said, much to this effect, "We've been very clear that our goal is good, quality public education, and the estimates of \$300 million needed to fund religious schools would be \$300 million that would come out of the public school system." She was very clear about the implications of funding religious schools. She said, "If you do this, it will take \$300 million out of the public system." She said that; the Premier said that. What do you think happened that would have changed the course of that direction?

Hon Mr Flaherty: We're not funding independent schools. That's what happened. If you take a pool of

money, let's say \$100 million, and you start dividing it up among independent schools, public schools, Catholic schools and so on, then what you're suggesting would indeed be so. But that's not what's happening, and I'm sure you realize that. We're saying that the pool of, as an example, \$100 million for public education, which includes public, Catholic and francophone education, remains intact and will be paid in full and will continue to be paid in full. In addition, there will be an additional financial burden on the treasury of the province of Ontario by reason of the tax credit. Of course, we've budgeted for that in preparation for the budget.

Mr Marchese: So when the Minister of Education—

The Chair: Mr Marchese, we've run out of time.

Mr Marchese: That's four minutes already?

The Chair: Sorry. Mr O'Toole.

Mr John O'Toole (Durham): There may be another question from a member of the panel.

Thank you very much, Minister and Deputy, for appearing this morning to give voice to the importance of having a strong economy. Certainly I've been hearing that in my riding of Durham. The whole equation starts with the economy argument. Without the strong economy, of course, you can't have a strong public education or health care system and all the rest of the important things for all the people of Ontario.

We've heard—primarily in St Catharines—I would say a reasoned argument with respect to support for the independent school issue. Minister, because it's an important issue certainly not just to my constituents but the people of Ontario and those who have fought for years to have equity as they would see it, perhaps you could comment. The other provinces in Canada have tried to address this, and I think Ontario has taken an initiative here that addresses a long-standing issue. Even from the time when I was a school trustee back in the early 1980s, the debate was then certainly on the record. Our government and other governments have tried to wrestle with it, and I commend you for taking the very strong initiative to try to come to terms with this issue of access to independent schools. Many make the argument that they're paying twice already; they're paying once through the regular tax system and then they're paying as tuition and other expenses to send their children to independent schools. Perhaps you could comment on what some of the other provinces in Canada are doing to address this important issue.

Hon Mr Flaherty: The member for Durham, as is his wont, raises a very important question.

Ms Marilyn Mushinski (Scarborough Centre): A very long one, too.

Hon Mr Flaherty: A very long question, as well, yes.

Mr Marchese: The four minutes is up.

Hon Mr Flaherty: It is important to note that even if the Legislature, in its wisdom, chooses to pass Bill 45, including the equity in education tax credit, parents who choose to send their children to independent schools will still pay their full taxes to the education system, through the property tax and otherwise. What they will then do is

pay their tuition to the private school or the independent school if they choose to send their child, and they'll get a maximum of 50% tax relief for that, phased in over time. It's a modest proposal to provide some relief to parents who do that. It takes not one cent away from the public education system in Ontario, which includes Catholic and francophone education. It's very important for people to realize that and not to misunderstand what is taking place.

It's also not a voucher system, because in a voucher system you take money away from other sectors; you take that \$100-million pool and you start divvying it up through parents among the sectors. That's not what we're proposing to do in Ontario. We're proposing to continue to fund public education fully, and then there will be an additional cost for the tax credit for parents.

We don't need to rely on theoretical studies; we have the experience in all of our neighbouring provinces. The large province of Quebec next door to us and all of the western provinces, including Alberta and British Columbia, have created funding mechanisms for independent schools and have more than 10 years' experience in a couple of cases, and there has not been any sort of mass exodus from the public school system. There has been some relief for parents who choose to exercise parental choice and, quite frankly, I'm loath to substitute my opinion or the opinion of politicians generally for the choices that parents make for their own children.

The Chair: The official opposition.

Mr Gerry Phillips (Scarborough-Agincourt): I'll move quickly, and we will focus on the tax credit just because of the lack of time. This is a major move as far as we're concerned, a huge move that will impact education. I'm very interested in the background research that you've done.

I know in your brief to the United Nations you argued that if you were required to fund private religious schools it "would have a detrimental impact on public schools, and hence the fostering of a tolerant, multicultural, non-discriminatory society in the province." You went on in that brief, I gather as a result of research, that if you were required to fund, it "would have an adverse effect on the viability of the public system which would become the system serving students not found admissible by any other system."

I gather that was the result of background research that the ministry did. Two things: will you table that background research that allows you to reach that conclusion, and how did you reach that conclusion about what sounded like quite a dramatic negative impact on the public system by funding?

Hon Mr Flaherty: Your question makes the assumption that money would be removed from the public education system in order to fund the tax credit. That's wrong.

Mr Phillips: No, that wasn't my question.

Hon Mr Flaherty: That's totally wrong. There's no proposal to do that; in fact, our commitment is to con-

tinue, as we have done, to fully fund the public education system in the province of Ontario.

Because of economic growth, because the Mike Harris government has turned the ship of Ontario around, because we've had substantial growth since 1995, right up to the present and including this year in Ontario, we've had that growth in government in revenues, as a result of tax cuts and other initiatives in reducing red tape and good government and balanced budgets—which we didn't see under Liberal governments and we didn't see under NDP governments from 1985 to 1995. Because of that good government, we have the revenues that we need in order to take this one small step for parents who choose to send their children to independent schools which, as you know, are mainly for religious and cultural reasons.

I understand you're against that. I understand you don't want the government to make that one small step in favour of parental choice.

Mr Gerard Kennedy (Parkdale-High Park): Minister, I wonder if I can ask about the backward step you're taking. You're the minister responsible for the money flowing from the government and you're claiming here \$360 million in new dollars. Will you table documents to show that's the case? Because your own student focus funding, available on the ministry Web site, shows a reduction of \$10 million.

Rather than get into anything that takes away from this discussion, would you table numbers to show that there's \$360 million in new dollars that you, the Premier and the Minister of Education said was coming in, because we're not alleging anything but the facts. This is where the money is coming from. There's \$10 million less in operating dollars available to schools, less per student than there was last year. Will you table documents to show otherwise—and I want to reiterate what my colleague had said—show us the research that you have done to show this is a safe, good, beneficial measure that will not harm public education and, included in that, show us some accurate documentation of how much funding is going to public schools this year?

Hon Mr Flaherty: Here's the best research for the member: Quebec, Manitoba, Saskatchewan—

Mr Kennedy: I don't want—

Hon Mr Flaherty: —Alberta and British Columbia.

The Chair: One conversation at a time.

Hon Mr Flaherty: All of those provinces, all of our sister provinces with the majority of population in Canada, if you include Ontario, have chosen to provide some sort of relief for independent schools.

Mr Kennedy: Don't expect—

The Chair: Mr Kennedy. There was no interruption when you posed a question; I think you should let the minister answer the question.

Mr Kennedy: I've asked a question, and it's a simple yes or no answer, Mr Chair.

The Chair: No. I don't conduct the way people answer. The minister has the floor, and I think you should give him the opportunity to answer the question.

Hon Mr Flaherty: With respect to the budget, to direct my answer to your question, there's your on-the-ground, real research from 1999 to the present, and even more than that, in our sister provinces in this great country.

Having left that, let's move to the issue of budgeting for education. As I mentioned in my remarks, we've increased budgeting for education dramatically from 1995 until now. In the budgeting this year, we allowed an additional \$360 million for public education, which includes Catholic and francophone education in Ontario. That's important, because that's even going beyond the funding formula for public education in the province.

Mr Kennedy: Minister, I appreciate you're running out the clock and not answering the question, but that will stand for the public record. You're afraid to put documents on the table to back up what you're saying here today.

I want to use your own report to the House. You said, "We'll have the same increase as in Manitoba." You just said, "Let's rely on the other provinces." You said there would be a 32% increase in Manitoba.

Now, Minister, because you don't have respect for this committee or for the people of Ontario and you won't put the documents on the table, I want to ask you, how can you justify things will only cost \$300 million when there's a 32% increase in one of the provinces that you cited. That 32% increase is another \$220 million lost to the public education system, a cost to the treasury of at least \$110 million, maybe \$120 million.

Minister, will you reconcile those statements and preferably will you do it on paper? Would you provide us with some factual backup for the allegations you're making that this is beneficial to the province? Will you show us the studies you've done and will you show us how this protects the funding and the well-being of students in the public system?

0930

Hon Mr Flaherty: I'll avoid the sort of personal remarks that you make.

Mr Kennedy: That's not personal.

Hon Mr Flaherty: I'll say two things. You're wrong about the experience of our sister provinces in Canada. I said in my opening remarks that there would be no exodus likely from the public education system, because that has been the experience of the other Canadian provinces to which I have made reference. Those aren't theoretical, professorial ideas, that's the actual experience of other Canadian provinces.

Secondly, not one penny—you're wrong about this again—gets removed from public education, because we do not take the pot and start splitting it up between independent schools and public schools. We commit to fully funding public education. We continue that commitment.

Mr Kennedy: Show us.

Hon Mr Flaherty: That commitment is firm and will persist as reflected in the budget this year, if you choose to have a look at the budget.

The Chair: With that, Minister, I must bring the discussion to an end because we've run out of time. On behalf of the committee, thank you very much for your presentation this morning.

Hon Mr Flaherty: Thank you, Chair.

MINISTRY BRIEFING

The Chair: Our next presentation is from the Ministry of Finance. I would ask the individuals making the presentation to come forward and state your name for the record, please. On behalf of the committee, welcome, and you have 30 minutes for the presentation.

Dr Robert Christie: Good morning, Chair. My name is Bob Christie, I'm the Deputy Minister of Finance, and to my right is—

The Chair: Could we have a bit of order, please? Thank you. Go ahead, Dr Christie.

Dr Christie: To my right is Tom Sweeting, who is the assistant deputy minister for taxation and intergovernmental finance. To my left is Gabe Sékaly, who is the assistant deputy minister of the fiscal and financial policy division.

My purpose here today is to provide members of the standing committee on finance and economic affairs with a technical overview of some of the key elements of Bill 45. As the minister noted in his discussion, there are a number of tax measures announced in the budget that Bill 45 proposes to implement.

We begin with corporation tax, particularly with respect to corporation income tax rates. The 2000 Ontario budget announced the government's intention to reduce the general corporate income tax rate and the tax rate on income from manufacturing and processing, from mining, from logging, from farming and fishing to 8% by 2005. That budget presented the first two stages of the tax cuts which were enacted in June 2000 in Bill 72.

Effective May 2, 2000, the general rate was cut from 15.5% to 14.5% and the M and P rate—manufacturing and processing rate—was reduced from 13.5% to 12.5%. Then, effective January 1, 2001, the general rate and the M and P rate were further reduced to 14% and 12% respectively. Provisions in this bill would give effect to the 2001 budget proposal to implement the remaining steps to achieve the 8% rates in the year 2005.

In particular and specifically, on January 1, 2002, the general tax rate will go to 12.5% and the M and P rate would go to 11%. January 1, 2003, the general tax rate would go to 11% and the M and P rate to 10%. A year later, on January 1, 2004, 9.5% for the general rate, 9% for the M and P rate; and on January 1, 2005, both rates would have arrived at the 8% level.

There are a number of consequential amendments to the capital gains refund provision for mutual fund corporations to reflect the reductions in the general corporate income tax rate and the reductions in the capital gains inclusion rate that were announced in 2000. In 2000, the capital gains inclusion rate was reduced from 75% to

66⅔% effective February 28, 2000, and was further reduced to 50% effective October 18, 2000.

There are also consequential amendments to a number of provisions, including the small business deduction, to reflect the reductions in the general tax rate.

As the minister noted, corporate income tax reductions have as their purpose the provision of stimulus to the economy and stimulus to investment in Ontario that, by benefiting the economy, would benefit all Ontarians. In the long run, most of the benefit from the corporate tax cuts is spread reasonably broadly through the economy, as opposed to being restricted solely to shareholders. This is a point, I think, on which economists and tax people are in reasonably good agreement, and it reflects in part the fact that capital investment is quite mobile internationally. Investors look to place their funds in the locale and in opportunities where the after-tax return they can get on those investments is the best that they can achieve. If one jurisdiction offers a lower after-tax return as a result of high corporate income tax rates, that jurisdiction will not benefit from some of the investment opportunities that will in fact go elsewhere because there are better returns on investment elsewhere.

I think it's also true—at least a number of people have noted—that some of the most rapidly growing economies over the last 10 years or so have been ones that have either low or significantly reduced corporate tax rates. When the CIT rate is higher in Ontario, obviously, it has to be offset by a higher pre-tax rate of return. Only the very best and most profitable investment opportunities are implemented, while many other good opportunities that would be taken up in a competitive tax environment in fact are not taken up if corporate taxes are too high. As a result, expansions don't occur, people aren't hired, incomes don't grow and productivity does not grow. When our corporate tax rates are relatively low, those opportunities are taken up and, in fact, new opportunities are created.

Historically, in Canada the corporate tax rates have been high compared to other countries. This is generally believed to have contributed to a relatively low rate of investment and to a lower rate of growth in productivity and the standard of living in Canada. Even after federal and provincial corporate income tax cuts that have already been made, the top corporate income tax rate in Ontario is still about 42% compared to an average of 34% among leading industrial countries. As I noted earlier, some of the highest growth among industrialized countries has been in those jurisdictions that have significantly lower corporate income tax rates. These include Ireland, Norway, Denmark and the Netherlands, which have all outperformed Canada's growth by a significant margin.

In this latest budget, the government has announced a firm schedule for corporate tax rate cuts and has proposed that those be legislated. This will give potential investors a firm, reliable basis for making their future investment plans and will boost confidence in Ontario as a locale for investment. Once these rate reductions are

completed in 2005, the combined federal and provincial corporate tax rate in Ontario will be significantly lower than the rates in any US state and there will be no Canadian province, as the minister noted, that will have lower rates. This is expected to provide significant incentive for companies to invest in Ontario, not just in the future but even in the short run. As people evaluate the life cycle of their investments, they will certainly see that the scheduled reduction of corporate income tax rates will have a significant impact on returns over the life cycle of that investment.

The bill proposes to implement as well the capital tax reduction. The proposal is to exempt from capital tax the first \$5 million of taxable capital starting January 1, 2002. This exemption would apply to both regular corporations and to financial institutions. Currently, regular corporations with \$2 million or less of taxable capital are exempt from capital tax, while corporations with between \$2 million and \$3.2 million of taxable capital are subject to a reduced tax rate. Financial institutions are exempt from tax on the first \$2 million of taxable capital.

0940

A related amendment increases the total asset and gross revenue thresholds for using the short-form corporate tax return from \$1.5 million to \$3 million for tax years commencing after December 31, 2001. I note that corporations eligible to use this short form are exempt from capital tax, although financial institutions cannot use that form.

The capital tax reduction and move to ultimately eliminate the tax were, as the minister noted, proposed by the business tax review panel. The capital tax is a particularly challenging form of tax because it's a fixed charge on the value of capital invested; it's not related to profits, it's not related to a corporation's ability to pay or its profitability or cash flow. It directly increases the cost of investing in Ontario, and so it discourages investment. It's a form of tax not found in most other countries and, as a result, puts Ontario and Canada at a special disadvantage. It is a fixed cost on business. In periods of economic slowdown when businesses are forced to cut costs and are looking for every opportunity to conserve cash, capital tax forces them to cut more deeply in areas where they have flexibility, and that tends to be primarily on the wage front. As a result, capital tax tends to have a negative impact on job creation.

One mitigating factor regarding the capital tax is that it's considered a deductible expense against federal corporate income tax, so when Ontario cuts its capital tax, it raises issues of distribution of the benefit and the federal government's role in that. Certainly, I think the government has been consistent in encouraging the federal government to reduce their tax rates of all kinds, including corporate income tax.

On the personal income tax front, the bill includes provisions to remove the first tier of Ontario's two-tier personal income tax surtax, effective January 1, 2003. Effective as of that date, the current first-tier rate of 20%—and I should note this is not a rate that's levied on

income, it's a rate that's levied on tax paid, so it's not directly comparable to some of the other tax rates that we talk about—would be added to the second-tier rate of 36% for a single tax rate of 56% on the gross tax of the individual that exceeds \$4,491, which in effect would eliminate the first tier of the current two-tier surtax.

Personal tax rates as well would be reduced for the 2002 and 2003 taxation years. The new rates would be—and I'll start with the lowest rate of the three personal income tax rates that are part of our schedule. In 2001, the lowest tax rate is 6.2%, then we go to 6.05% for 2002 and 5.65% for 2003. The middle rate, at 9.24% for 2001 is proposed to go to 9.15% for 2002 and 8.85% for 2003. The highest rate under the proposal in the bill would be unchanged.

Economic studies have almost universally found substantial short-run and long-run benefits from personal income tax cuts. They are believed to create a more dynamic economy with higher productivity growth and, as a result, higher standards of living for the economy and the citizens as a whole. Lower personal income tax rates give everybody the incentive to work harder and remove disincentives to extra work to increase their incomes, knowing that they'll be able to keep more of any increase that they earn. Business owners have a greater incentive to expand their business and hire more people. Lower personal income tax rates also make Ontario's export industries more competitive, since it's easier for employers to attract and keep the skilled workers that are critical in a modern knowledge-based economy. As I noted earlier, capital is highly mobile, and competitive tax rates are critical there. It's becoming increasingly the case that highly skilled labour is also internationally mobile, and competitive tax rates in the ranges of income earned by these skilled workers also need to be competitive to continue to attract and retain those skills.

When these changes are fully implemented, the personal income tax measures proposed in the 2001 budget, together with the measures implemented in the 1999 and 2000 budgets, complete the government's 20%, \$4-billion personal income tax cut. With the approval of this legislation, 95% of Ontario taxpayers would see a 20% or greater tax cut, and virtually all taxpayers reporting less than \$100,000 of income would see at least a 20% tax cut. In addition, the measures proposed in this legislation would remove an additional 75,000 Ontario taxpayers from the tax rolls.

The budget also proposes the equity in education tax credit. Effective for 2002 and subsequent taxation years, a refundable Ontario tax credit would be provided for a parent who pays tuition fees for a child enrolled in an independent school at the elementary or secondary level. Independent schools, both religious and secular, would be eligible, and criteria would be elaborated in consultation, as the minister discussed earlier.

The proposal is to phase in the credit over five years, beginning at 10% in 2002, rising to 20% in 2003 and eventually reaching 50%. Bill 45 includes provisions to

implement the first two steps of the plan. The maximum amount eligible for the credit would be \$700 per month and \$7,000 annually for each child enrolled in an independent school. Consultations will identify the appropriate framework for establishing future criteria for eligibility for this credit.

Other tax credits are proposed to be modified in the bill as well. Effective for the 2001 and subsequent taxation years, the \$200 monthly amount for full-time students and \$60 monthly amount for part-time students—the education tax credit, primarily for post-secondary—would be increased to \$400 and \$120, respectively.

Ontario's basic disability tax credit and the disability amount that may be transferred from a dependant other than a spouse would be increased from \$4,293 to \$6,000. The supplement to the disability tax credit in respect of disabled children under 18 years of age would also be increased to \$3,500 from the current level of \$2,941, and the infirm dependant credit and the caregiver credit would be increased from \$2,386 to \$3,500 as well.

To prevent erosion of the value of these credit amounts by inflation, all other non-refundable tax amounts will be increased for 2001 as a result of indexation, and the new education, disability, and infirm dependant caregiver credit amounts will be indexed for inflation for 2002 and subsequent taxation years.

Mr Phillips: Mr Chair, just a question: will we have some time for questions, or is this going to run the full half-hour?

Dr Christie: Actually, Mr Phillips, I haven't timed it, but I'm not quite halfway through.

Mr Phillips: Well, you've run out the clock completely and more. I wouldn't mind a question or two.

The Chair: It's up to you, sir. It's your call. It's your presentation. If you wish to take some questions, I'm willing to entertain anything you desire.

Dr Christie: I'd prefer—it may be that if I can cover them—

The Chair: You have approximately 10 minutes left for your presentation.

Dr Christie: I'll do my best to move quickly through the presentation.

Mr Phillips: No, no. I don't care how fast you go; we want to question. I would like ask a question.

0950

The Chair: Mr Phillips, it's up to the presenter. I don't think we can dictate how the presentation is made; we haven't done that previously. So just continue with your presentation. If you wish to take some questions—

Dr Christie: There's also a provision in the bill for calculation of an individual's Ontario alternative minimum tax, which is clarified in the bill so that the amount of that AMT is that which exceeds the individual's special foreign tax credit.

On the retail sales tax side, there are changes to the taxation of multi-jurisdictional vehicles. The international registration plan is the focus of these changes. It's a commercial vehicle registration agreement pro-

viding for the collection of registration fees and other taxes and fees from interjurisdictional carriers based on the proportion of travel in a given jurisdiction. The home jurisdiction collects the appropriate registration fees and any annual, pro-rateable taxes on the basis of fleet miles operated to other jurisdictions and the applicable rates in those jurisdictions. The amounts collected are forwarded to those appropriate jurisdictions. Joining the international registration plan allows Ontario-based truckers continued access to the US market with minimal red tape.

The former agreement here was the interprovincial sales tax agreement, which allowed for provincial sales taxes to be collected and distributed among those provinces in which a commercial vehicle travelled. However, this agreement has been terminated as of April 1, 2001, and this international registration plan takes its place, as well as dealing with the US. Taxes and fees under this must be pro-rateable and annual. As a result, Ontario's retail sales tax on affected vehicles and on repairs to those vehicles has to be spread out over the life of the vehicle and charged on an annual basis rather than now being charged as incurred. To do this requires modifying the collection mechanism of the retail sales tax for these vehicles. BC, Saskatchewan, Manitoba and some US states have already implemented such a tax, and it is proposed that Ontario would follow suit in this budget and in this budget bill.

There's also a retail sales tax rebate for electric hybrid cars. There's currently a rebate for vehicles powered by alternative fuels to encourage the use of environmentally friendly fuels and reduce reliance on conventional fossil fuels. This budget proposes to extend the provision to electric hybrid vehicles as well, to encourage environmentally friendly technologies.

The budget also proposes, effective May 9, 2001, that no succession duty falling due will be payable. The Succession Duty Act was repealed in 1979, and no duty has been collected in respect of deaths in Ontario since then. But legislation has remained in effect to ensure that duty in respect of deaths prior to that time would still be paid. Most of that has now been paid, and the proposal is now to eliminate the act.

Other measures in the bill deal, among other things, with the Ontario Property Assessment Corp. The Ontario Property Assessment Corp, commonly known as OPAC, was created to deliver property assessment services when responsibility for assessment service delivery was transferred to the municipal sector in 1998. Upon this transfer, OPAC became responsible for administration of the assessment process, which includes determining assessed values and preparing assessment rolls. The province maintains a role in that process, as it governs assessment policies and property tax policies through legislation and regulation.

The role and function of OPAC has been reviewed. The review looked at the structure and operation to confirm that the needs of Ontario property owners and municipalities are being met. It was felt this was an appropriate time to conduct the review, as the 2001 re-

assessment was the first province-wide assessment conducted by OPAC as a stand-alone corporation.

As a result of input received during that review, the province is proposing to make changes to the governance and operational structure of OPAC with the aim of improving accountability, enhancing customer service and ensuring consistent provision of high-quality assessment services. In particular, the proposal would restructure the board of directors to include taxpayer representatives, along with municipal and provincial representatives, to ensure that all stakeholders have representation. It proposes to appoint a quality service commissioner to ensure that a consistent level of customer service standards is met. It proposes to eliminate the potential for municipalities to opt out of OPAC, to ensure that consistent assessment practices continue to be followed province-wide, and it proposes to change the name to the Municipal Property Assessment Corp to better reflect the organization's status as a municipal corporation.

The budget also proposes that changes be made to facilitate the financing of Ontario student loans. The committee, I'm sure, will recall the exit of banks from the provision of student loans and initiatives by both the federal government and the province to assure that student loans can continue to be made available even in the absence of the banks. The provisions in this bill, if enacted, would permit the establishment of an entity to facilitate the financing of those loans. Beginning in August of this year, we need to have in place a process to do that, and so that provision is being brought forward now.

The amendments proposed in the bill would permit the Minister of Finance to act as trustee, or appoint a person or entity to act as a trustee, of a trust created for the purpose of making loans to students and borrowing money to fund such loans. In effect, this trust would replace the function the banks were playing before they exited the field. The proposed amendments also state that where a member of the executive council or a public servant acts as a trustee, the assets of the trust don't constitute public money for the purposes of the Financial Administration Act.

There are also a number of changes proposed to financial services legislation, the intent of which is to eliminate barriers to competitiveness, reduce costs of compliance for businesses and increase administrative efficiency and effectiveness. The intent is to remove obsolete legislation which is no longer necessary and, in the current business climate, may be detrimental to the competitiveness of the sectors regulated. A number of acts are being amended in the bill, as proposed. They include the Co-operative Corporations Act, Credit Unions and Caisses Populaires Act, Insurance Act, Loan and Trust Corporations Act, Mortgage Brokers Act and Registered Insurance Brokers Act.

Amendments to the Co-operative Corporations Act address a commitment made in the 2000 budget to streamline regulatory requirements. The Loan and Trust Corporations Act proposals deliver on commitments

made in the 1996 budget and an October 1996 discussion paper to eliminate regulatory overlap and duplication of this industry.

Almost all the loan and trust companies operating in Ontario are already federally incorporated and federally regulated. Deposit insurance is provided by a single federal crown corporation, and consumers aren't generally aware of the province's role in this area in any case. There are only three small Ontario-incorporated loan and trust companies in operation, and they account for less than half a per cent of the industry's total assets.

Similarly, provincially incorporated trust companies across Canada represent a small percentage of the industry and very few operate outside their provincial borders. Of the 51 loan and trust companies that operate in the province, most are federally regulated and the largest, in fact, are owned by banks, which also fall under federal jurisdiction.

The maximum disentanglement and removal of overlap and duplication forthcoming from having a uniform regulatory regime will be applied to this industry in Ontario.

The Chair: You have one minute to wrap up.

Dr Christie: As I noted, this will occur in two phases: phase 1 at the time of royal assent and phase 2 on July 1, 2004, by which time all of these will have to be federally regulated. When there are no longer any Ontario-incorporated companies, the provisions that are no longer necessary would be repealed.

There are also proposed amendments of the Insurance Act to update the list of permissible investments, and of the Insurance Act and the Registered Insurance Brokers Act to eliminate current restrictions on ownership of those entities.

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There are also a number of technical amendments. In light of the time, I will simply describe the areas in which they occur. There are a number of technical elements to a number of acts dealing with professional corporations, having to do with liability of those who form and join professional corporations, and there is an amendment to permit the Minister of Finance to clarify that delegations of authority from the Minister of Finance to the Ontario Financing Authority have the force of the Minister of Finance, that they have the same force as if they were signed by the minister to permit clearer contracts.

The Chair: Thank you very much. We've used all the time.

Mr Phillips: Mr Chair, I realize they have to hotfoot it out of here now that they've done their job, but could I request that they provide us in writing the basis on which they reached the \$300-million cost estimate, the basis on which they reached the number of students, the average cost per tax credit and any background paper they've done, too, on if it went to \$4,000, what would happen, and if it went to \$4,500, what can happen?

The Chair: You can direct research to do this?

Mr Larry Johnston: Yes, sir.

Mr Phillips: Is that available, Mr Deputy?

The Chair: We'll request it through the research department.

Mr Phillips: Mission accomplished; no questions.

ONTARIO CHAMBER OF COMMERCE

The Chair: Our next presentation is from the Ontario Chamber of Commerce. On behalf of the committee, I would like to welcome the presenters and I would ask the presenters to state your names for the record. You have 20 minutes for your presentation this morning.

Mr Doug Robson: Good morning, everyone. My name is Doug Robson. I'm the president and chief operating officer of the Ontario Chamber of Commerce. To my left is our volunteer chair of the chamber's finance and tax committee, Mary Webb, who is also the senior economist for the Bank of Nova Scotia, and to my right is Atul Sharma, whose title has changed since the last time he was here; he is now vice-president of policy development and chief economist.

Mr Phillips: That's better than a salary increase.

Mr Atul Sharma: I'm working on that.

Mr Robson: In any event, normally we bring something with us, but we only learned Friday that we would be speaking now and not on Thursday, so we'll commit to give you something by the end of the week.

As the members know, the Ontario Chamber of Commerce represents 57,000 businesses throughout its federation of 156 chambers of commerce and boards of trade. It's the largest provincial business organization, and it has been the voice of business in Ontario since 1911.

The recent provincial budget was one that we believe keeps Ontario on the right track for future prosperity and competitiveness. Many of the recommendations made by the OCC during the pre-budget submissions are contained within the budget. The Ontario Chamber of Commerce is generally pleased with the government's emphasis on prudent fiscal management, maintaining strong economic growth, accountability and maintaining a balanced budget.

With regard to debt reduction, the government has followed the path laid out in our recommendation to reduce the debt-to-GDP ratio to 20% within five years. The Ontario Chamber of Commerce recommended in its pre-budget submission that the government reduce its debt-to-GDP ratio from approximately 30% to 25% within five years and that it further set its sights to reducing the debt-to-GDP ratio from 25% to 15% within a decade. We are pleased to note the government's payment of \$3 billion in the previous fiscal year, 80% of the promised \$5-billion reduction. The 2001-02 \$1-billion contribution, will lower the debt-to-GDP ratio to 24.8%.

With the current debt at just over \$110 billion, we urge the government to, whenever possible, put the maximum amount available to debt reduction. Debt reduction is an important part of Ontario's future prosperity and competitiveness. The more debt that can be retired, the more money there will be available for spend-

ing on the real priorities. As the members of this committee know, debt servicing is the third-largest government expenditure after health and education.

With regard to capital tax, the government took the first step to eliminate capital taxes, as recommended by its business tax panel chaired by our former chair and CEO, D'Arcy Delamere. In our pre-budget submission, we recommended the elimination of capital taxes for financial institutions and for all corporations. We are pleased to see the government take the first step on this issue.

However, more needs to be done. Not only should the government accelerate its capital tax elimination; it should begin examining the possibility of eliminating all profit-insensitive taxes. This is a recommendation that members of the finance and tax committee will be looking at more seriously for presentation at next year's pre-budget hearings.

In terms of reviewing taxes, the commitment to reviewing taxes to see if they fulfill their original objective, such as the tax for fuel conservation and the corporate minimum tax, is important. The Ontario chamber believes there are many taxes that should be reviewed to see if they are fulfilling their original purposes. We are pleased to see the government's commitment to reviewing these taxes.

The tax for fuel conservation, TFFC, is an example of a tax that was well-intentioned when it was introduced. Its purpose was to provide some incentive for people to purchase more fuel-efficient vehicles. However, our understanding from the industry is that it is having the opposite effect. As a result of the tax, people are delaying their purchases of vehicles because of the tax. What this means is that they are not replacing the inefficient vehicles that they currently have for new vehicles that are more environmentally friendly. We have also been told that the average age of the fleet is approximately eight to nine years old, which is the oldest in living memory.

Taxes such as the corporate minimum tax need to be reviewed because of their impact on our competitiveness. While this tax does not generate a great deal of revenue for the government, it does make Ontario seem less competitive than it actually is. Our recommendation is to simply remove the tax.

With regard to investment in infrastructure, we were pleased to see the government's commitment in the budget to studying Ontario's transportation corridors to help prepare Ontario's future transportation network and their recognition for a coordinated approach to transit and transportation. The Ontario Chamber of Commerce has put forward a proposal, as most of you know, for the establishment of an Ontario transportation authority. Under our proposal, the development of trade corridors, border crossings, rail and intermunicipal public transit would become the responsibility of an Ontario transportation authority.

The authority is needed, in our view, for five fundamental reasons: We need to deal with gridlock and planning on a coordinated basis. We're choking off trade

at our border points with our largest trading partner. Roads and public transportation systems need to be improved and expanded quickly. Innovative solutions are needed for transportation and land development in Ontario. Innovative financing solutions, in particular, are needed from the private and public sectors.

Our hope is that the government will seriously look at the establishment of an OTA. We believe that the transportation authority can contribute to Ontario's future prosperity and competitiveness.

With regard to government restructuring, we also applaud the government's commitment to establish a private sector panel to review the role of government in the 21st century. The government should begin the process of reviewing what its core business should be. Should the government be in the business of both establishing the policy direction and assuming responsibility for policy implementation, or should it just be in the policy direction establishment business? It is important for the government to look at allowing the service delivery of government policies being implemented by the private sector. The government is operating a 1950s style bureaucracy in the 21st century and should begin to look seriously at how it can restructure itself.

With regard to legislating corporate tax reductions, we applaud the government's commitment to legislating the remaining corporate tax reductions. This provides some certainty that the reductions will be implemented. Our hope was that the government would have announced that the phase-in period for the corporate tax reductions would be reduced. We urge the government to reduce the phase-in periods wherever possible.

In conclusion, we look positively on the budget, because the government has listened to the concerns regarding Ontario's competitiveness that have been raised by our members, which, I would remind you, are primarily small and medium-sized businesses. The Ontario Chamber of Commerce believes that the recent provincial budget continues the commitment to maintain a positive business climate and continues the commitment to Ontario's future prosperity and competitiveness.

That's the end of my comments, but I'd ask Mary Webb if she has additional comments to make.

Ms Mary Webb: I think the flavour of the OCC was that this budget had coped with the downturn, that Ontario is one of the provinces hardest hit by the US slowdown, and this poses a real fiscal dilemma for the province, because revenue growth is less assured. Yet the importance of maintaining a competitive environment, of Ontario continuing to be attractive for new investments—high-tech and other industries—has never been greater.

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So at the OCC we welcome the budget's commitment to lower the tax burden and to continue on that path as aggressively as possible. The challenge is that Ontario's interest costs are above the average for the other provinces, and therefore paying down the debt by \$4 billion over the past two years does create a very needed increase in fiscal flexibility. But it also makes even more

important the challenge for Ontario to maintain control of its program spending in order to keep moving on these tax cuts.

Therefore we applaud the government's trying to deliver its spending in smarter ways, with greater value per dollar spent, and we urge that initiatives that can facilitate new investment, such as removing the corporate minimum tax, as Doug mentioned, and removing the clawback on the small business tax, be considered. Their revenue impact is relatively small and yet their negative impact on investment is significant.

The Chair: That completes your presentation?

Mr Robson: It does.

The Chair: Thank you very much. We have approximately two minutes per caucus, and I'll start with the government side.

Mr Ernie Hardeman (Oxford): Thank you for the presentation. There were a couple of items in it that I was rather interested in. There is what is commonly referred to as the "gas guzzler" tax in the real world, and your comment about it, that it doesn't do what it originally was intended to do—obviously, we all know that it was put in place to encourage people to buy more fuel-efficient cars and, in turn, have fewer emissions. There now seems to be some evidence that that's not what's happening, that the cars they're not purchasing are the ones that are more fuel-efficient and cleaner burning than some of the ones that we're still driving. It really takes us to the part of the budget that refers to reviewing all taxes that government imposes, to make sure they are doing what they said they were supposed to do. Is it the chamber's position that they would work with us to point those out? Today you've pointed out the gas guzzler one, but there are, I expect, many others that would fall in the same category, and we're committed to looking at all those. Is the chamber, with your committees, looking at some of these to point out where we can find taxes that should be removed?

Mr Robson: I'd ask Mary, as the chair of the committee, to respond to that.

Ms Webb: Yes, we are. We have not done it on a comprehensive basis; we have done it as issues have arisen and as our members have brought concerns forward. I think we would certainly be willing to do it on a more comprehensive basis with our membership and report back.

The Chair: You've still got about 30 seconds.

Mr Hardeman: OK. I think it's very important. In reviewing the budget, and having spoken to a lot of the people who manufacture and sell cars, I was personally surprised to find out what this tax actually had done. And that points out the need to do much more, so we collectively need to find the solutions for ineffective taxes and to put that money to better use.

The Chair: Thank you, Mr Hardeman. Mr Kwinter.

Mr Monte Kwinter (York Centre): As always, I welcome the presentation of the chamber. I'd like to address this really to Mary Webb. I was interested in one of the comments that you made, to the effect that Ontario

is one of the hardest hit of the provinces due to the US slowdown. In our pre-budget hearings, we kept hearing that yes, there is a slowdown, there is in fact recession in the manufacturing sector, but that the second half is going to be much better, that it was going to improve and everything was going to turn out fine and the projections made by the Treasurer are reasonable, and whether the number is 2%, 2.2% or somewhere in there, those are achievable numbers. Do you feel that is true? Because what I've seen, and the indication that I get, is that things aren't getting much better, that in fact they may be getting a little bit worse, projected in the second half. Do you have any comments on that?

Ms Webb: Yes. I think the budget's estimated growth of 2.2% is within the reasonable range. We would be closer to 2%. It nevertheless is a debatable point. The key from here, though, is that that is far from a recession. But I totally agree with your comment that in fact the quick snap-back re-recovery is not snapping back and that we will likely remember this downturn for its longevity, that it could well persist into 2002 with some signs of a recovery, but not a substantive recovery, a really strong rebound. Therefore, where does that put Ontario? Well, there's still a lot of sectors in Ontario that are firing, and one of them is actually high-tech. The difference is that it will have single-digit growth, not double-digit growth. In other sectors, such as motor vehicle, I think the recovery over the next year will be a bit disappointing. So the concern is that, yes, the Ontario economy will be moving back up toward 3% next year but will probably be hard pressed to move through 3%.

Mr Peter Kormos (Niagara Centre): It's interesting reading, Ms Webb. I was here with you when you were making that submission as well. So, what do you say? People who bought Nortel at \$50 should hold?

Ms Webb: No comment.

Mr Kormos: I really am interested, because in neither the throne speech nor in the budget—although it's not primarily a budget issue—was there any suggestion of increasing the minimum wage here in Ontario, which has remained at \$6.85 an hour for a considerable number of years now. Some American jurisdictions, some municipalities that have the power to pass minimum wage legislation are up to, in Pennsylvania I believe, approximately US\$9 an hour.

Do you share our concern that it's time for an increase in minimum wage so that those very-lowest-income workers have a little more money in their pockets too?

Ms Webb: I understand the logic that if we provide more for lower-income then that is in fact an economic stimulus. The government has already worked on that with taxation, but I would emphasize how competitive this has gotten, with many of the other provinces also providing much more lenient tax treatment for the low-income.

I understand what you're saying. My only caution is that right now profit margins are being squeezed in Ontario. How much more can we squeeze them? We're looking for a decline. We will see a decline in Ontario's

profits in the order of 2% to 5% this year, and we will probably see only a 2% to 5% increase next year.

Mr Kormos: So you don't agree that minimum wages should be raised. You're advocating to maintain minimum wages at their low level. That's what I wanted to know.

Ms Webb: I would look for some offset. If you increase the minimum wage, can you provide some offset for corporations? Their profit position is very fragile now.

Mr Kormos: Federal MPs got a \$20,000 raise in one fell swoop. The poorest workers get zip. That's not fair, is it?

Ms Webb: Again, that's not in our realm.

Mr Kormos: Thank you, folks.

The Chair: With that, we've run out of time. Thank you, Mr Kormos.

On behalf of the committee, thank you very much for your presentation this morning.

GREEK ORTHODOX EDUCATION IN ONTARIO

The Chair: Our next presentation is from Greek Orthodox Education in Ontario. I would ask the presenter or presenters to come forward. On behalf of the committee, welcome. You have 20 minutes for your presentation this morning.

Dr Dimitrios Oreopoulos: Mr Chairman, honourable members of the committee, my name is Dr Dimitrios Oreopoulos. I'm a professor of medicine at the University of Toronto and president of Greek Orthodox Education in Ontario.

I am standing in front of you today as the representative of the leader of our church, Archbishop Sotirios, who unfortunately had to travel to Greece yesterday on an urgent matter and sends his apologies for being unable to present his views personally. He asked me, and I agreed, to present to you the brief that he has prepared. Then, because I agree with and believe every statement made in the brief, I will be happy to address any of your questions.

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For those who may have some difficulty in understanding my accent as I read, I have asked the clerk to kindly circulate copies of the brief so you can read it instead. The brief is as follows:

"Dear Committee Members:

"On behalf of the 200,000 Greek Orthodox people residing in Ontario, I congratulate and thank the government of Ontario for presenting Bill 45 which will provide a tax credit for those parents paying tuition for their children who are attending religious schools.

"The British North America Act of 1867 provides for the operation of a separate school system—the Roman Catholic school system.

"The pertinent article in the act referring to education gives one the understanding that the spirit of the law is to protect all religious schools. This is the Constitution.

This is the law of the country. We all must respect it and abide by it.

"It is a fact that in Ontario there is in operation a Roman Catholic school system fully funded by the government of Ontario.

"We respect and accept that.

"I understand that in 1867 the government school system in Ontario was in reality a Protestant school system and the rights of the Protestant denominations were thus protected."

So the system was protecting both the Protestant and Roman Catholic school system.

"Since 1867", however, "to the present time, there has been mass immigration to Canada resulting in other religious and Christian denominations establishing themselves in this country.

"The British North America Act may not exclusively provide for the protection of their rights, however, the Charter of Human Rights does, for it provides for equal rights for all persons.

"Therefore, it is imperative that all religious schools be accorded equal funding as granted to the Roman Catholic schools.

"Some say, 'This amounts to a theft of money from public education.' I disagree with them. Up until now, the tax dollars of parents who send their children to religious schools are used for the public and Catholic school systems while they are paying extra money for the education of their own children.

"As stated before, the Charter of Human Rights must be applied to education, that is to say that all parents must have the same right as Catholic parents to send their children to a religious school of their choice that teaches the values and morals of their faith which is an essential part of raising their children. Otherwise, they will be second-class citizens in comparison to the Roman Catholic parents.

"We thank the Harris government wholeheartedly for the decision to partially fund the religious and private schools, which, though dictated by the Constitution and Charter of Human Rights, at the same time, I must say, is a brave decision politically considering the climate that presently exists in the province.

"All Greek Orthodox people are grateful for this assistance, however, we request that this assistance be equal to the Roman Catholic schools.

"Yours very truly,

"Metropolitan Archbishop Sotiris

"Metropolitan Archbishop of Toronto (Canada)"

The Chair: Thank you very much. We have approximately five minutes per caucus, and I'll start with the official opposition.

Mr Phillips: Thank you, Doctor. We've known each other for a long while.

Your goal, obviously, is full funding, and I gather from His Eminence that you regard this as a good first step but that in your opinion the only way for parents is with full funding to the various schools?

Dr Oreopoulos: Mr Phillips, we are very grateful for starting this thing. I think that's the important thing and we're very happy with that. But, I think in the long run, if it's a mark of human rights, you cannot address human rights half way; and either you address it as human rights and satisfy, or it's not. Down the road I suppose some day some other government may see fit that they should respect the human rights of all individuals. Right now we're very happy with what we have.

Mr Kennedy: Can you tell me how the tuition of the schools that fall under the diocese breaks down between the education component and the religious component currently?

Dr Oreopoulos: We have one tuition that covers the education, the salaries of the teachers, the books, the food etc. So the whole thing is covered by these fees.

Mr Kennedy: Perhaps you can help me. There is one portion that is eligible for a charitable deduction, and that is usually the part referred to as the religious portion.

Dr Oreopoulos: That's 18%.

Mr Phillips: In terms of where you see the future with the community, would you see any expansion of enrolment with a grant program or are they all already in the schools?

Dr Oreopoulos: Even before the program, there was a lot of demand for parents to bring their children. Because we did not have the facility, we could not accommodate everybody. But now we have expanded, and we hope we will get more parents. I suspect this may make it easier for some parents, but of course the burden will be theirs. It does not cover the financial burden that these parents have to undertake.

I have to emphasize, Mr Phillips, that these are average-income parents—middle or below middle—who see that as a commitment to their children's education. Both parents will work. They will try to do everything they can in order to send their children. So this is a relief, but definitely it does not cover the whole need.

Mr Kennedy: In your search for full funding and the parity you're seeking with the Roman Catholic funding that's arisen from a constitutional obligation, what conditions has the diocese looked at as being willing to meet? Similar conditions? Exactly the same conditions as the Roman Catholic schools?

Dr Oreopoulos: If it's grant discrimination, it has to be the same eventually, down the road.

The Chair: You still have approximately a minute and a half.

Mr Phillips: Great. My concern—and you know the area I represent—is that we'll have quite a diversity of religious schools. You may say that's great. I worry that we divide it. What would you expect in terms of the Greek students with this proposal and, then, if, as you say, you can't have halfway human rights, you move to full funding, would you expect that a majority of the Greek students would end up in the Greek schools?

Dr Oreopoulos: If I take the example of Montreal, that is not the case. Not all parents are taking advantage of that. It's a matter of free choice. Some people want;

some people don't want. The characteristic thing of our faith is free choice and freedom, whoever wants it, but I think it's very important that parents who want it have the opportunity to satisfy their desire on that.

The Chair: I must go to Mr Marchese.

Mr Marchese: Dr Oreopoulos, I have just a couple of questions. You may have heard the minister here this morning.

Dr Oreopoulos: Barely. I just came halfway.

Mr Marchese: One of the concerns I have is that the Minister of Education and the Premier said a while ago that if we were to fund other religious schools it would take \$300 million out of our public system. Do you think she was just mistaken at the time, that she was just not thinking, possibly?

Dr Oreopoulos: Thank you for making this point. I feel very strongly that this is not money that is being taken out of the public system. For the last 30 or 40 years, these parents have been paying their taxes. If tomorrow all these children go to the public schools—say 100,000 children—the government has to find \$750 million to support these children, these students. Every year the government is saving \$750 million on the backs of the parents who are sending their children to their schools. So I don't agree that really we're taking money out. I think the government is taking our money and using it and at the same time we have to pay for our children.

Mr Marchese: I understand. The minister said this morning as well that what people want is an education that reflects their culture and religion.

Dr Oreopoulos: Correct.

Mr Marchese: He didn't talk about the non-denominational private schools. Do you support money going from the public purse to those other private non-denominational schools as a matter of choice?

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Dr Oreopoulos: This is a matter for the government. I'm standing here in front of you to support our group's interests on that.

Mr Marchese: So you have no opinion on the other?

Dr Oreopoulos: No opinion.

Mr Marchese: But presumably, if you follow the same logic, perhaps that could be a matter of choice too.

Dr Oreopoulos: Sure. I think choice is a very important thing.

Mr Marchese: If I am a disabled young man and I am openly gay, would you take me in your school?

Dr Oreopoulos: Sure. In our faith, Mr Marchese, we are not in the business of judging other people. We teach our students and ourselves that our interest should be to improve ourselves and not judge other people. So if a gay teacher is willing to respect the students, willing to respect their colleagues, willing to respect the environment and hopefully will teach our students abstinence until they are grown up, why not?

Mr Marchese: Abstinence versus being gay is a different thing. How many schools do you—

Dr Oreopoulos: Right now we operate one school, but it's growing very fast.

Mr Marchese: How many students do you have?

Dr Oreopoulos: We have 110.

Mr Marchese: How many of those students are children with disabilities?

Dr Oreopoulos: We don't have any at the moment, but in the new facility we are building we are covering the need for children with disabilities.

Mr Marchese: So you anticipate having quite a number of them?

Dr Oreopoulos: Sure.

Mr Marchese: What do they pay at the moment to get into the school?

Dr Oreopoulos: It's \$4,500 a year. That covers both the tuition, the food and the books.

Mr Marchese: As a community in religious schools, you don't perceive any problems between the different students, with different cultures, being in different silo schools? As far as you're concerned, based on the religion you have, it should be OK? People will get along, because that's what you teach?

Dr Oreopoulos: I think that's the beauty of Ontario, Mr Marchese, the diversity, having everybody have his own faith. The students have a much wider view of that. Tolerance is a very important thing in teaching our students.

Mr Marchese: That's a big issue for me. That's why I advocate for one public system, to try to accommodate all of our differences.

Dr Oreopoulos: But they just teach the religion; they don't practise the religion, or if you want, they have a religion of pantheism, of neutrality. For some parents it's very important for their children, and I think Canada and Ontario need to have citizens who have faith and morals.

Mr Marchese: I'm not even sure that we teach religion, but if we taught religion as a course, would that be something that would take care of you—

Dr Oreopoulos: No. Religion is a practice, a way of living. We want to have personnel who have the faith to be an example for the children.

The Chair: For the government side, Mr Spina.

Mr Joseph Spina (Brampton Centre): Thank you, Dr Oreopoulos, for your presentation. We appreciate the time. Please extend our thanks also to His Excellency.

You answered two parts of my question, and I'm just trying to tie it in a little more clearly for us. One of the elements that we are trying to achieve out of these hearings is to determine the criteria of the institutions to which the families would be eligible for the tax credit: whether it is religious, how much of it is, how much is not. Also, there are and have been questions regarding the testing of students and the qualifications of teachers. That will be the context of my questions.

To be more specific, you indicated the tuition is \$4,500, and I'm presuming 18% of that figure is for the religious portion.

Dr Oreopoulos: No, no.

Mr Spina: Or that's over and above that?

Dr Oreopoulos: The parents are entitled to claim 18% of the religious component as a tax deduction in their tax returns. This is the time we spend for the religious education.

Mr Spina: We're not arguing that. I'm just wondering, is that 18% out of the \$4,500?

Dr Oreopoulos: Correct. It's out of the time; 18% of the time spent by the teachers. It's not the money.

Mr Spina: OK. But still, I guess that 18% is based on the total tuition, then?

Dr Oreopoulos: Correct.

Mr Spina: So the total tuition is \$4,500?

Dr Oreopoulos: Correct.

Mr Spina: Please help us. What we're trying to say is, if therefore, the tax credit were to be applied on a principle, then it would not be applied on the full \$4,500; it would be on the net difference.

Dr Oreopoulos: I thought there was a difference between tax credits and tax deductibles. This is a claim that they are making for a tax deduction. It would depend on the tax range they are in. If it will be 50%, 40% of that, they will save that money.

Mr Spina: So you think the tax credit should be against the full amount?

Dr Oreopoulos: Yes. I would think, Mr Spina, it should be that whatever you do to the Catholics, you should have the same thing with us.

Mr Spina: We fully appreciate that comment. Thank you, Dr Oreopoulos.

Mr O'Toole: I appreciate your presentation this morning, and I just wanted to clarify. Mr Phillips and Mr Marchese both made a reference to a fear of diversity or choice. They sort of said that they feared the divisiveness of all these different—while at the same time, in cultures—they spoke in fear of that—

Mr Phillips: No, no. You've got to—

Mr O'Toole: That's what they said. Pardon me, Chair—

Mr Phillips: If he's going to quote me, he'd better quote me accurately.

Mr O'Toole: I'm summarizing—

Mr Phillips: No, you've got to quote me accurately and that's not the case.

Mr O'Toole: I've heard you say it many times.

Mr Phillips: No, stick to what you speak for.

Mr O'Toole: They speak, in some regard, of fear of the diversity question and yet they're offering the one-size-fits-all as the choice. Perhaps you could appease them. I heard your responses earlier. You said it best. You said that you think that religion and faith can be taught as a subject, just plug it in. Could you respond to that, that fear of—

Dr Oreopoulos: I understand there are some classes in the public schools, if there are some of the Jewish religion or Christian religion or Muslim religion, that the children are learning about that. You teach something, but you don't live it. We want the whole environment to be a living religion, that the teachers will be the example of our faith for each religion, so the students will have

some role models and they will have the priests being involved in that.

We have the example from other provinces where this is and there are Greek Orthodox children there and they are definitely not denied diversity, they are not ghettoized, and they are very good citizens. I think this is a big difference between the Canadian system and the American system. We're kind of distinct. We love diversity, we enjoy diversity, and we benefit from diversity.

The Chair: Ms Mushinski, you have approximately one minute.

Ms Mushinski: Thank you for coming in this morning, Dr Oreopoulos. I really just have one question. It has to do with this difference between teaching ethno-cultural diversity classes in the public system and what, let's say, the Greek Orthodox community feels is something that's much more deep-rooted, and that's a respect and an inculcation of one's cultural values and one's cultural roots.

It is my assumption that regardless of this being a Christian-based school, you would still be required to be registered with the Ontario Ministry of Education and you would still be required to teach core curriculum within your private or independent system. Is that correct?

Dr Oreopoulos: I wish you could meet with our parents. Their main goal is an excellent education. We totally agree with the government curriculum. The Ontario curriculum is outstanding. But they insist that this should be the minimum for our teaching. They want more, over and above that. So we welcome any involvement with the government to ensure it, and we're sure we're going to do it, because it's our goal. But our parents want more than that, and I think we'll do it. We have no problem with that.

The Chair: We've run out of time. On behalf of the committee, thank you very much for your presentation this morning.

1040

JEWISH PARENTS FOR EQUALITY IN EDUCATION FUNDING

The Chair: Our next presentation is from the Jewish Parents for Equality in Education Funding. I would ask the presenters to come forward and state your name for the record, please. On behalf of the committee, welcome. You have 20 minutes for your presentation this morning.

Mr Robert Samery: Good morning, Chair and committee members. I am here today as the chairman of Jewish Parents for Equality in Education Funding, a member of the umbrella organization of Ontario Parents for Equality in Education Funding. I am a parent with deep interests in equality in education funding issues. I am not a teacher, I am not a school administrator or a teachers' union representative. I am simply a parent. With me today are Aaron Blumenfeld, also a parent, and Morris Rubner.

The announcement of the refundable tax credit was widely praised by the independent school community because it shows the welcome support of the government of Ontario for parental choice in education. This credit is a constructive step toward equity in parental choice. We commend the government and Mr Flaherty.

The fact that the credit is to be refundable is a very strong signal that it's meant to benefit the supporters of our schools who are less wealthy and who sacrifice greatly to enable their children to attend. Our supporters are parents whose strong religious convictions compel them to do so. We are grateful for this recognition.

The tax credit has been characterized as a sop to the rich who send their children to elite private schools. This is an objectionable but convenient political myth. The plain fact is that most parents who send their children to independent schools are of modest means. Members of our organization make very serious financial sacrifices to do so based on their conscientious views that their religion, culture or language demand nothing less.

The policy objective is to provide some public funding to parents who in conscience cannot place their children in the secular public schools or in publicly funded Roman Catholic schools. This is an effort to reduce the reality of discrimination in the current education funding regime.

We address the issues in this debate from a faith perspective. The public debate about the equity in education tax credit is welcome. It's time to consider how our system of public education can accommodate diversity in principle and in practice.

There will always be disagreement among significant segments of our society about the nature and purpose of education and the proper role of the state. The real issue is how these different visions should be accommodated in a liberal democratic society like Ontario.

Parents wanting education for their children, other than public or Roman Catholic, are not accommodated. They must submit to the current system or set up independent schools entirely at their own expense. The purpose of this brief is to set out some important general principles that need to be considered in this debate and to consider their implications.

The state must provide reasonable accommodation for diversity: this principle rests on a basic understanding of the proper relationship between the state and individual citizens. There are four tensions in play here.

Personal autonomy is seen as a primary good: the long development of liberal thought in Western society has led us to understand that politics and civil life have to start with, relate to and be accountable to the individual human person. This understanding is based on the notion that each person has an original way of being and a unique identity. The imperative duty of each of us is to work these out for ourselves. There are implications for the way people think about the proper role of the state in many areas of life, including education.

The state is a servant: There is the growing language of rights, particularly since the advent of the Canadian Charter of Rights and Freedoms in 1982. As explained by

Canadian political scientist and philosopher Charles Taylor, "A liberal society must remain neutral on the good life, and restrict itself to ensuring that however they see things, citizens deal fairly with each other and the state equally with all." Such "a liberal society cannot accommodate publicly espoused notions of the good."

Equality has conflicting meanings: The concept of equality is elusive. It can be satisfied in two completely incompatible ways. One way is to remove all choice; the other is to grant everyone choice subject to neutral and reasonable rules.

The existing arrangement in education takes the public branch as the norm. It effectively expects that all will submit to a common school that ignores important personal distinctions that parents want their children to learn, to understand and to adopt for themselves—for example, in respect of culture and religion—without, however, compromising the ability of their children to function in society.

But this is not consistent with the contemporary meaning of equality. Tolerance requires acceptance of diversity. The debate reflects two visions of tolerance, only one of which can apply in the area of education.

Professor John Gray recently noted that liberalism has always harbored contradictory visions of tolerance. These visions are now colliding frequently, because Western societies like Ontario are increasingly diverse and are no longer homogeneous. Professor Gray observes:

"Liberalism contains two philosophies. In one, toleration is justified as a means to truth. In this view, toleration is an instrument of rational consensus, and a diversity of ways of life is endured in the faith that it is destined to disappear. In the other, toleration is valued as a condition of peace, and divergent ways of living are welcomed as marks of diversity in the good life. The first conception supports an ideal of ultimate convergence on values, the latter an ideal of *modus vivendi*. Liberalism's future lies in turning its face away from the ideal of rational consensus and looking instead to *modus vivendi*."

"The predominant liberal view of toleration sees it as a means to a universal civilization. If we give up this view, and welcome a world that contains many ways of life and regimes, we will have to think afresh about human rights and democratic government. We will refashion these inheritances to serve a different liberal philosophy."

If Professor Gray is correct in his view, and we believe he is, there are serious implications for the system of education in Ontario. A balance of these four tensions in the area of education would be achieved if the state facilitated diversity in a neutral way.

There is a right to publicly funded education. The right to education is basic to our society, so basic that references to it in our Constitution assume rather than mandate it. Publicly funded education is a social right and value, indeed a necessity on which we are agreed as a society.

In the brief, we have set out some excerpts from UN documents. There is really no dispute about the existence of this right. The state simply cannot satisfy its obligation

by offering public education in a way that does not permit meaningful diversity and real choice to all parents.

What is meant by "education"? It's unusual to find a definition of education which is normally seen as an activity. It can be described poetically, as Yeats did: "Education is not filling a bucket, but lighting a fire." Less inspirational but more complete is the description set out in the old Ministry of Education circular entitled *Ontario Schools: Intermediate and Senior Divisions*, 1989, quoted in the brief. While most parents would probably agree with most of that description, others would find it incomplete, in the absence of any reference to spiritual growth or religion as fundamental components of education.

There are two forms of religious education: religious education takes one of two forms. The first is education about religion. An example would be an academic secondary school course on world religions which complies with the relevant curriculum of the Ministry of Education. This can be characterized as education about religion, and is still permitted in public schools.

The second form of religious education is better understood as religious instruction. The ultimate aim is to persuade students of the truth of the religion being taught and to elicit a faith commitment to it. Such instruction can take the form of opening exercises, including prayers, or dedicated religion classes in public schools. This form of religious education can be characterized as the teaching of religion. In fact, a course or class of religious instruction would not satisfy most religious groups. They take the view that religious education requires the permeation of all the activities of the school including academic instruction. This is the approach taken in Catholic schools.

The reason why religious education in public schools is, and will remain, a contentious issue is that many parents want their children to be taught religion, not just to be taught about religion. Many parents believe that education without a religious dimension is not truly education. Some believe that the secular world view now espoused by the public system is itself a religious viewpoint that is not respectful of their religion but is instead fundamentally destructive of it. For others, the issue is more personal: the public system's legal inability to recognize and support them as members of a religious faith is disrespectful of their personal identity and is discriminatory. The fact of disagreement means that some avenue must be provided that supports a reasonable degree of diversity in the forms of education. Meaningful choice for parents is necessary.

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Principle 3: parental choice in education should be respected and supported. A long tradition recognizes the role of parents as the first teachers of their children. As already noted, for example, the UN Universal Declaration of Human Rights provides that "Parents have a prior right to choose the kind of education that shall be given to their children." The UN Declaration of the Rights of the Child (1959) states, "The best interests of the child

shall be the guiding principle of those responsible for his education and guidance; the responsibility lies in the first place with his parents."

The courts have recognized this central role of the parents. In the *Richard B.* decision, the Supreme Court of Canada noted, "That constitutional freedom [of religion] includes the right to educate and rear their child in tenets of their faith. In effect, until the child reaches an age where she can make an independent decision regarding her own religious beliefs, parents may decide on her religion for her and raise her in accordance with that religion."

The real issue is respect for parental choice. Should families be enabled to educate their children in schools of their choice where language, culture, religion and beliefs or commitments that are important to parents are taught before their children enter the public square, or should children be forced into the public square without the benefit of such education as the result of a coercive and homogenizing public policy?

The argument that public funding should only extend to the common schools amounts to an assertion that in matters of education it is not the function of the state to assist parents but to supplant them. We also consider and respond to the objections that have been raised to the tax credit from the common schools perspective. It is strongly asserted by some that public education aims at the integration of children. This is seen as a necessary antidote to increasing cultural and religious heterogeneity. If one accepts the principles we have referred to, then this argument has flaws on a number of levels. It effectively amounts to an abuse of state power that denies individual choice in favour of state-enforced standards. The exercise of power in this way is inappropriate because it contradicts the basic values of personal autonomy, the rights of parents to choose the education of their children, and the appropriate way to accommodate diversity in our society. It does not reflect a contemporary understanding of the concept of equality.

The state does not need to exercise its power to assure social harmony. The ordinary operation of our society is overwhelmingly assimilative and needs no assistance from the school system. The reality is that the modern world with its inescapable media presence makes it impossible for people to remain isolated to any appreciable degree.

The real challenge for parents is to raise children and educate them in a way that preserves their culture, language and religion. There is no evidence to support the idea that separate education fosters fragmentation in the operation of actual education systems in Canada and around the world.

There is irony here. People insist on freedom of choice in all the areas of life, from inconsequential consumer decisions, to choices among political candidates, to the most serious of life's choices. This reflects our common view that the state and society exist to serve the autonomous human person. But this vision of autonomy falters for many when it comes to school choice in

Ontario that is publicly funded. No more flinching: it's time for freedom of choice for parents in education.

The role of parents: Some argue that the current scheme does not really interfere with parental choice; parents are free to provide religious instruction to their children outside of school hours. The idea that religious education is the responsibility of the home and the religion and not the school is new and recent and is not part of the Canadian tradition, as the historical appendix in your brief shows. Experience has shown that even the most faithful homes find religious and moral instruction of children difficult through a lack of knowledge, lack of skill, lack of time and lack of reinforcement. Is it more reasonable to expect parents to provide their children with religious and moral instruction than it is to expect them to teach mathematics and geography? The home can be a good source of examples of virtue but often not much more.

The myth of neutrality: it is said that the secular school system is neutral in its effect on the faith of children. This is a myth. The reality is quite different. In his ministerial report, Dr. Glenn Watson pointed out the basic conundrum: "An educational system cannot be neutral. If there is no religious education or any form of religion in the schools, then secular humanism, by default, becomes the basic belief system. Secular humanism does not represent a neutral position."

Dr. Watson explained:

"In every relationship, and especially in that between a teacher and a student, there is something that can be referred to as religious education. It is the transmission of ideas, or answers to significant life-related issues, or it is the exemplification of values by 'precept and example.' There is no way to avoid such an interaction and the learning experience associated with that relationship over a period of time."

The system of public education has, in fact, been an engine for the devitalization of religion in society. As sociologist Reginald Bibby has observed, "In present-day Canada, the core for whom religion is significant—perhaps about 15% to 20%—have faith constantly undermined by a society for which religion is marginal."

It is therefore not surprising that many parents believe that a secular school system which avoids religious references is not neutral but is hostile to faith, because it implicitly tells their children that religion is not an important part of daily life. This is not a message these parents want to have sent to their children, and they wish to have the possibility of alternatives that are hospitable to their beliefs.

Religion and the state: for others, the objection is that funding religious schools in particular is bad. The complete separation of religion and state is an American concept that has not been adopted in Canada and is not part of our tradition. It would be hypocritical to insist on it in education when many hospitals and social welfare agencies in Ontario were founded and are operated by organizations with a religious identity. They operate with federal and provincial funding in doing their good work.

Examples include Mount Sinai Hospital, Baycrest, St Joseph's Health Centre and numerous other agencies.

Parents have many reasons for sending their children to independent schools. Assisting parents in making a choice does not amount to the endorsement of any particular school or any particular religious organization by the government, since so many different religions are involved.

Many countries in the world provide assistance to parents who are looking for religiously oriented education for their children.

Principle 4: as a society, we have recognized in the Charter and in the Ontario Human Rights Code that equality is a fundamental value. This is also recognized by international documents that require education to be "on the basis of equal opportunity."

Respect for human dignity is not complete unless it is equal. Put another way, unequal treatment is, by its very nature, disrespectful of human dignity. But the existing argument, even with the tax credit, is still discriminatory. Secular humanists and others who favour secular education, and Roman Catholics, have privileges denied to others who continue to be in an inferior position. This, as the United Nations human rights committee noted in the Waldman decision, is still discriminatory. More should be done by Ontario to remedy it.

We endorse the principles in this brief, including parental choice in education, and so we do not advocate a solution that would end public funding for the Catholic system. Instead, we want to see respect for parental rights and the other principles in this brief extended to all parents. We see the tax credit as an important and welcome step toward equality of educational opportunity.

In concluding, in a liberal democratic state like Ontario, nothing should stand in the way of assisting parents to transmit their faith and values to their children. Society as a whole benefits and continues to draw strength from morally and religiously literate people who exemplify the moral virtues upon which our province has rested.

Many people believe these virtues can be successfully transmitted from one generation to the next only if they rest on religious and philosophical convictions that are made express in the educational curriculum of the schools. These are virtues on which Canadian society not only agrees but also depends, and are essential to civil society.

This is why facilitating parental choice in education contributes to society, why the approach of the government of Ontario makes sense and why we offer our full support to the equity in education tax credit.

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It's all about freedom: freedom for parents to direct the education of their children in their faith, culture and traditions; freedom from the threat of extinction in the face of an overwhelmingly secular society.

It's all about meaningful choice that respects the rights of parents to direct the education of their children. It's about equality of educational opportunities. It's about

opening the tent of public funding to accommodate real diversity, the kind of diversity that exists in Ontario today. Acceptance of that diversity will allow the members of these communities to gather in the public square, confident of the respect and understanding of their fellow citizens and able to make their contribution to the commonwealth.

Ontario enjoys a world-class, publicly funded education system. The doomsayers will learn it is not fragile. The existing levels of provincial support for independent schools across Canada have not undermined public systems. This initiative will not do so either.

We are grateful for the opportunity to address this committee on this important question of public policy. Thank you.

The Chair: You've used the entire time. On behalf of the committee, I would like to thank you for your presentation this morning.

KHALSA COMMUNITY SCHOOL, MALTON

The Chair: Our next presentation is from the Khalsa Community School, the Sikh community. I would ask the presenter or presenters to come forward. On behalf of the committee, welcome, and you have 20 minutes for your presentation this morning.

Mr Richard Szymczyk: Thank you, Mr Chairman, members of the committee. Before I begin my formal presentation to the committee, in view of the many suggestions of partisanship and rigging of the hearings I felt it was important to attempt to lay to rest any insinuation or accusation that I have been specially selected to support the government's initiative on tax credits for parents who send their children to independent schools. I'll have to go into my professional background somewhat in order, hopefully, to lend some degree of non-partisan credibility to my presentation. Please bear with me.

I'm a retired school superintendent and have also worked with the Ministry of Education, both in the Ottawa regional office and the Mowat Block next door in Toronto at some point in my career. As I'll point out, I've had other opportunities and experiences which will hopefully support the fact that I come before you with no partisan, political or other motives other than to present a professional opinion on this initiative.

Some 11 years ago, during the Liberal government's tenure at Queen's Park, and through the office of the Honourable Sean Conway, Minister of Education at the time, I was invited to come to Toronto, which was a secondment, to deal with the question of religion in public schools of the province. Some may recall that the Ontario Court of Appeal had indicated that Christianity was no longer to be taught as the prime religion in public schools in view of the realities of a pluralistic, multi-religious and multicultural Ontario. My task was to develop the necessary policy framework for the public schools to deal with this issue, and again I repeat, at the request of the Liberal government in power at the time—

of course, the government changed during the election of September 1990 as the New Democratic Party assumed the responsibility for governing this province—and that particular task was fulfilled.

Soon after retirement from public education, I was appointed by order in council to the Halton Police Services Board and, during my term, served as chair and chief negotiator, among other responsibilities. I have an appointment letter signed by the Honourable David Christopherson—who I see is not here this morning; I expected he would be here—again during the tenure of the NDP government. I point this out to illustrate the fact that my involvement in key issues have been non-partisan.

It would also appear that the teachers' unions, according to the media, are not supportive of this initiative, and I want to add that I have acted in my time as negotiator for teachers in collective bargaining. I've also been president of the Halton Elementary Principals' Association on two occasions. Admittedly all these responsibilities may have occurred some time ago, but commitment and loyalty to justice, equity and fairness, from my perspective at least, have not diminished in any way whatsoever. Obviously, had I any partisan motives in fulfilling these key and sensitive responsibilities during my career, I certainly had the opportunity to reject any appointments by the political party in power at the time.

I now come before you, and before our third major political party, with the hope that you, and other members of the public and media who have an interest in this issue, will accept my comments as coming from an individual who has absolutely no political, partisan or other similar motives, as has been intimated by some citizens and some members of the media. In other words, it's my hope that my presentation will be accepted with the same professional sincerity of purpose with which it is given.

First, may I take this opportunity of congratulating the government for taking this bold step forward, especially in the face of the many criticisms. Just as needs change, so must we all accept the need for change, in spite of a longing to maintain the comfort of the status quo. At the outset, to confirm my position as representative of Khalsa Community School, Malton, and of the Sikh community which the school serves, I shall speak in support of the proposal.

By way of more recent background, I've acted as supervisory principal of Khalsa Community School, a Sikh independent school, for the past three years. Incidentally, I was invited to accept this position and did not apply for it, and I shall address this subtlety in my presentation.

Approximately six years ago, members of the Sikh community in the Malton, Mississauga and Brampton areas decided that their cultural, language and religious heritage may be at risk and the only way in which to ensure that Sikhism and the Punjabi language could survive would be to open a private school under section 16 of the Ontario Education Act.

Because so many of the parents who wanted to send their children to the school were relatively recent immigrants to Canada and had not yet established themselves financially, the decision was made to offer Sikh-based programs, as well as English-language programs, at a very low cost to parents, I believe somewhere in the area of \$1,800 annually. Obviously, the fees did not cover the operating costs for the program and therefore fundraising, donations and assistance from the Malton temple and other temples in the area were required in order to cover their operating costs.

I must emphasize here that this financial burden, although apparently light in relative terms, was indeed a hardship for families attempting to establish themselves as Canadian citizens, especially when one considers that Sikh culture places a very strong, even critical, emphasis on family and, therefore, two or three children from the same family were enrolled at Khalsa school at the time. Simple arithmetic reflects the tremendous financial load on families.

As the fees have increased over the past five years, it had become increasingly more difficult for parents to continue to send their children to the school and many were forced to drop out. I can't give you hard statistics, but I can assure you that, over the past three years at least, the school has lost close to 100 students and, from the information given to us in the office, the great majority of transfers from the school were for financial reasons.

Notwithstanding that fact, the enrolment of the school now stands at 223 students—with a waiting list incidentally—an increase of approximately 30% over the past three years. Evidently, there must be some significant reasons for parents wanting to send their children to a school which sustains their culture and language. After all, they have left their homeland in India and immigrated to a country which prides itself as supporting actively the rights of minorities on an equitable basis, where laws are non-discriminatory with respect to religion and language and where there exists a fundamental philosophy of supporting the concept of a colourful mosaic of ethnoculturalism, pluralism and multiculturalism, as opposed to the concept of a melting pot theory which appears to drive the antagonists of individual, language, religious and cultural identities and rights.

How were the parents able to afford this? Our information is that many, if not most, of the parents sending their children to Khalsa school maintain two jobs and some even have three. Not only do the parents in the Khalsa school community make these kinds of sacrifices to ensure that their culture, religion and language survive but, just as important, they have demanded and continue to demand that the students receive the best possible educational opportunities over which they have some degree of parental control.

I want to address the question of teacher qualifications. With respect to the issue of teachers and other support personnel, it is the position of Khalsa school that

there is general support for the determination of "qualified" staff as opposed to the concept of "certified" staff. The government needs to address this issue carefully, since there are outstanding qualified teachers who are not certified by the Ontario College of Teachers. An important example of this lies in the provision of the Punjabi language, religious music and religion programs at Khalsa school.

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These teachers are qualified through their training in India, and possess Indian education degrees but do not qualify for approval through the Ontario College. It has been the policy of the school over the past three years to hire teachers registered with the college, especially those who provide the English language programs, all of which are based on the Ontario Ministry of Education curriculum guidelines. I want to repeat that: all of which are based on the Ontario Ministry of Education curriculum guidelines.

In essence, our Sikh school would have no difficulty with the determination of requirements for teacher qualifications provided that the policy did not demand registration and approval with the college for all teachers, for fairly obvious reasons.

May I add that the issue of teacher and related certification in the publicly supported schools did surface approximately a year ago when the media reported that over 500 special letters of permission were issued to non-qualified principals, vice-principals and teachers due to the shortage of certified or qualified personnel to fill the vacant positions in the publicly supported schools. A review of this practice and of the current situation should certainly form part of the discussions surrounding teacher qualifications.

What I'm actually saying there is that there would appear to be teachers teaching in the publicly supported schools who do not have the qualifications required, apart from the special letter of permission.

I must add that the issue of certified teachers and designated schools needs to be addressed also with great care. Should the requirement be for all schools to be designated, the problem of teacher shortage in this province would be accelerated, especially since a number of independent schools hire retired teachers who offer experience in an expanding so-called market, if I may use that term. The limitations on retirees, that is, teaching no more than approximately 95 days in the first three years after retirement and 20 days thereafter, would likely eliminate the cadre of highly experienced staff who could not assume teaching responsibilities in the independent schools without their pensions being affected.

Strange that at least one other area of Ontario public service does not discriminate against retired employees in this regard. This issue needs to be carefully reviewed.

Now to program accountability. Because Khalsa school has a philosophy which encompasses a balance between Sikh religion, Punjabi language and the demand of our parents for teaching programs based on the Ontario curriculum guidelines, we have no difficulty in

being held accountable for the quality of the programs taught in the English language and welcome any supervisory policy which includes inspection by—and I want to underline this—certified and qualified personnel.

We have used standardized tests to assess achievement of our students. One of the problems, however, has been the lack of consideration of the great majority of students who have the challenge of English as a second language, and further to this, the lack of opportunities to practise English language skills at home, where of course the language typically is Punjabi.

Standardized tests must take this reality into account. Otherwise we end up at the bottom of the scale. Otherwise, the tests themselves end up being discriminatory.

Should the government institute a policy of program standards, Khalsa school goes on record as wishing to participate in the policy development and welcomes any opportunity to participate in a fair and proficient assessment of its programs.

Now to tax credits. Much controversy has occurred as a result of the perception that money for independent schools would be taken out of the public schools. Should the question be addressed as publicly supported schools, to include the Roman Catholic schools in Ontario?

Observing the situation from another side of the issue, and this has been mentioned earlier today I believe, parents who have sent their children to independent schools have, in effect, saved the government, at least in the current year, approximately, using \$6,500 as the average cost times 110,000 students, a grand sum of over \$700 million. I want to repeat that: that in effect, the government has saved, and not had to put out, over \$700 million, because those 110,000 students do not benefit in any way whatsoever from any support financially.

For the last X number of years—and I don't know how far back we can go—all Ontario governments have saved hundreds of millions of dollars by not providing any form of financial assistance to independent schools or to the parents. Where is the money? In fact, some have suggested that, to make this point, it would be an interesting situation should even 50% of the independent school students register in the publicly supported schools for this September, as is their right to do. The government would be obliged to come up with over \$300 million dollars. School boards would be required to provide accommodations, teachers—already in short supply—transportation, classroom resources etc, and of course, to make the point even more dramatically, the students would return to their independent schools after approximately two weeks in September with the result that the entire educational system would be thrown into chaos. Turning this into an annual or semestered event would make for interesting reading in Ontario's history books.

The tax credits, as is understood by the parents of Khalsa school, would in a very small degree remove the financial burden which is imposed on them in the current situation.

In summary, Mr Chairman, first, from the comments offered, it is evident that the Sikh community supporting

Khalsa school is also in support of the concept of tax credits for parents who choose to send their children to their independent school.

Second, it's important that the government consider consultation and wide representation with the stakeholders if and when the initiative is approved by the House. Notwithstanding the public outcry, often fuelled and generated by some sectors in the media, this initiative is fair and equitable, supports parental choice and further recognizes the realities of a growing pluralistic and multicultural Ontario. It also offers the government the opportunity to learn why Ontario independent schools are growing in number—no one seems to have a definitive answer to that question—to learn why results in many of their standardized tests are relatively high and, most important perhaps, to underscore the government's commitment to non-discriminatory support for education of all Ontario students.

Third, in response to the questions of teaching tolerance of differences in the independent schools, the fact that the Sikh community chose to hire a non-Sikh—referring to myself—to lead their school illustrates not only tolerance but more important, acceptance of a multicultural philosophy. The school also has engaged several employees from a non-Sikh background, so I'd like to lay to rest the question of whether we teach tolerance as a subject or whether we practise tolerance and acceptance.

From the facts presented above, it's clear that this initiative does not in any way support the accusations of elitism. Most Khalsa school families would appear to come from a middle- or lower-middle-income group, with some exceptions, of course.

We request the opportunity to be directly involved in any future consultation regarding the development of policies.

That's respectfully submitted, and I want to thank you for the opportunity of addressing you, Mr Chair and members of the committee. I'll try to answer any questions.

The Chair: Thank you very much. We've basically used all the time, so there will be no time for questions. On behalf of the committee, thank you very much for your presentation this morning.

HAMILTON DISTRICT CHRISTIAN HIGH SCHOOL

The Chair: The next presentation is from the Hamilton District Christian High School. On behalf of the committee, welcome. I would ask the presenter or presenters to come forward and state your name for the record. You have 20 minutes for your presentation this morning. Good morning. Go ahead whenever you're ready.

Mr Jake Belder: Good morning, Mr Chairman and committee. My name is Jake Belder. I am a grade 12 student at the Hamilton District Christian High School. To begin today, I would like to give you some—

The Chair: Could you please introduce the other colleagues you have with you?

Mr Belder: Sure. To my right here is Sarah Postuma. To her right is Corrie Kessler and to her right is Josh VanKampen. We have one more presenter, Nate DeJonge, who will take Sarah's place after she's finished.

To begin today, I would like to give you some background information on our school. Founded in 1957, our school has graduated thousands of students who have gone on to study in many different areas at many different post-secondary schools across our country, in the United States and overseas. Currently, our population is 600 students coming from the new city of Hamilton and surrounding areas.

I would like to introduce to you our OAC economics class; some of them are sitting here and some of them are sitting behind us in the crowd. We would like to thank you for giving us the opportunity to speak here today.

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Recently, in relation to our studies on fiscal policy and economic equity, our class has been discussing Bill 45. In particular, we are interested in the section of Bill 45 created by the government of Ontario to provide tax credits to parents of children who attend independent schools. We are very grateful to the government for recognizing us and our needs.

Today we will address you on that issue, focusing on several points that we feel need to be concentrated on. We would like to begin by explaining to you who we are and why Christian education is so important to us. Secondly, we will focus on the present inequity of the school financing in Ontario. We will follow that by discussing the necessity that all institutions of education deserve support from our government. Finally, we will emphasize the importance of free choice as to what schools our tax money goes to. We will share some stories of personal hardship as well.

Now let me introduce to you our first speaker, Sarah Postuma, who will present to you why Christian education is so important to us.

Ms Sarah Postuma: Good morning. I, along with my classmates, would like to thank you for the opportunity to speak. We are very proud to be able to represent independent religious schools across Ontario. I have attended religious independent school for all my years of education. I have gone to Hamilton District Christian High School for five of those years, and through these years I have come to realize many things.

Students at HDCH are like young people everywhere. As high school students, we have jobs, we have homework and we have goals and aspirations for the future. Noory, who is with all these people sitting behind me, is looking for a career in teaching. Jon wants to be Minister of Finance. Corrie wants to go to Nepal and Andrew wants to go to the Arctic. Many of us have dreams of university life and eventually marriage and children in our future. However, what sets us apart from other high school students is that our parents feel strongly about

having us educated in a Christian environment and from a Christian perspective.

Our parents believe that school is an extension of the home and have exercised that belief through their choice of educational institute. For over 23 years, my parents have supported Christian education by sending five children through elementary and secondary schools. They have made significant sacrifices, largely due to tuition costs. However, they were willing to make these sacrifices because they wanted teachers and a curriculum consistent with their values.

Along with many other independent religious schools, our school, HDCH, is rooted in biblical beliefs. However, we are not limited by our faith. Many issues are presented in our classrooms, given to us from a variety of perspectives. This allows us to explore and attempt to understand many life views. We believe this is the best way to learn.

Our school community believes that our teachers are answerable to our parents. As well as having a curriculum that is consistent with our Christian values, we are directed by what the government regulates. Each year HDCH is inspected to see if it is meeting all the regulations, and each year HDCH passes with flying colours. However, even though we meet all the government regulations, we are not supported in any way by that same government.

Our school meets and exceeds required standards. The strength of our school is the quality of education we receive. Our teachers are our mentors and, in the older, senior grades, our friends. They are willing to go far beyond the call of duty, both in the classroom and in extracurricular activities, to ensure that we, the students, succeed—and succeed we have.

Just recently the boys and girls soccer teams were able to clinch the city championships in Hamilton. This was a very big deal for our school, because we opposed schools that were sometimes two or three times as big as us in enrolment. Also, I played in the OFSAA provincial championship series with the girls' soccer team; I'm very proud of that. The boys teams have also had many successes in the past years as well. Last year, the HDCH senior boys' basketball team took home the silver medal at OFSAA.

We are not an isolated school community. We interact with the public system, and in many respects, we are just as good as them. I assure you that we are not ordinary. We have many things to offer, and we are very proud of our school, as you've probably been able to tell. We, the students at HDCH, are being taught each day how to contribute to our communities. Through our exceptional education, our accomplishments in athletics and through the examples shown through the lives of our teachers, we are being taught how to be the leaders of tomorrow. Our parents know this and entrust us, their children, to them.

I would now like to introduce Josh VanKampen, who will present his group's view on equity.

Mr Josh VanKampen: I would like to thank you for the time to speak. My name is Josh VanKampen, and I

am in currently in my fifth year at Hamilton District Christian High School.

"Equity" is defined by Webster's universal dictionary as "fairness," "uprightness of mind," "impartiality" and "justice in conduct." Equity is one of Canada's economic goals. As a multicultural nation, Canada prides itself on providing support for all Canadians, regardless of religion, age, gender, cultural and ethnic background. Until now, Ontario has fallen short of Canada's expectations to attend to the needs of its citizens.

The United Nations sets international standards for all human beings. When these are set, countries voluntarily decide whether they will agree to be held to these standards. I am proud that Canada always agrees, because it sees itself as a world leader in the area of human rights. The UN realizes that all humans are born free and equal in dignity of rights. One of these rights is free or supported education. On November 5, 1999, the United Nations ruled that Ontario's policy of funding Catholic schools, but not other religious schools, is discriminatory.

In article 26 of the Universal Declaration of Human Rights, sections (1) and (3) state that there should be room for a choice of education. From section (1), "Everyone has the right to education. Education shall be free, at least in the elementary and fundamental stages." This is a strong argument for support of all schools. Section (3) states "Parents have a prior right to choose the kind of education that shall be given to their children."

Parents have the choice in Ontario today, but many families pay a penalty because of the choice they make. The United Nations has seen that Ontario is not treating the independent school students fairly, but the proposed tax credits would be a big step in the right direction for equality.

It has been a part of Canada's history to support minorities. In the British North America Act of 1867, Canada said it would protect minority schools. In Ontario at that time, the only minority group was the Roman Catholics. The Protestant, or public, schools were the majority. This changed as public schools became secular and the need for independent schools increased. There are more minority groups in Canada today who have established schools but are receiving no support from the government of Ontario at this time. The BNA Act may have only applied to the Roman Catholic schools in 1867, but now there needs to be a greater extension of support for other minorities as well.

All children deserve the right to education and to be supported by the government. In Ontario, this basic human right is not in line with international standards. It discriminates against families who send their children to independent schools, as well as those who cannot afford the tuition. Discrimination is unjust and needs to be taken out of our education system before the goal of economic equality can be reached.

Corrie Kessler will now present her group's thinking on efficiency.

Ms Corrie Kessler: Hi, I'm Corrie Kessler and I am in grade 12 at HDCH. Efficiency is also one of the seven

economic goals of Canada. It means employing resources in order to get the highest possible benefit. Independent schools accomplish this goal and the public can be assured that any support these schools receive will be used effectively.

The nature of this new bill, which allows a tax credit for parents who support independent schools and not the actual schools themselves, almost guarantees an effective use of the funds. As it stands, with parents controlling the spending of these dollars, it is not possible for the money to be wasted on excesses such as bulky administration costs, which may have been a problem if the school held these funds. The way our independent school is orchestrated does not leave room for these kinds of inefficiencies. Our books are audited annually and are extremely transparent and open to inquiry or improvement. We are held responsible financially to Revenue Canada, to the school's finance committee and to more than 500 sets of parents who are watching and pay tuition. All of these people hold a firm belief that inefficiency is not a wise or stewardly manner with which to deal with our God-given resources. Our school's finances must therefore line up to this standard.

Along with questioning independent schools' financial accountability, many people may wonder if independent schools match up academically to Catholic and public schools. Our response would be assuredly, yes, they do.

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Our school, for example, is held academically accountable to parents, the board, the education committee and the Ministry of Education. Every year, an inspector reviews our courses, our curriculum and our classes, and every year, our school exceeds the minimum requirements. All of the teachers at our school hold teaching degrees, and because of their firm belief in the importance of Christian education, they are willing to work for less money and go beyond the call of duty. Our peers currently attending public schools learn the same things we do. The difference is that the students of Hamilton District Christian High School study with a biblical perspective. We learn the same things our friends do in the public system, and yet our parents pay both taxes toward education and the full price of tuition.

We have no interest in taking away public school funding. We have no interest in competition. All schools deserve funding, and we are interested in equity. We recognize the concern that this bill may provide an incentive for a migration of students from the public to the independent sector. However, this is not a competition for survival and the independent schools are not attempting a hostile takeover of the public school system's funds or territory. Education is not a business. The vast majority of independent schools are not run for profit. The only things to be gained are equity and a high standard of education. The public school system should not be worried about losing students, for wherever there is a choice for schooling elsewhere in North America, 90% of the students still attend public schools. However, because of the choice available there is an increase in

student achievement and parental satisfaction. When parents choose a school, they place high importance on their relationship with that school and they become more involved. Volunteers reduce costs.

This is not a comparison of educational quality; it's a question of choice. Public schools cannot be everything for everyone. A public school that holds individual values to be important and at the same time tries to be value-free is a fundamental contradiction. This type of school is appreciated by many, but parents who choose independent schools choose them because they appreciate the clear underlying beliefs that shape everything these schools do.

We don't want our friends in the public and Catholic systems to lose anything from the quality of their education—no. All we want is equity and efficiency to grow hand in hand.

Nate DeJonge will share the impact of paying tuition on families next.

Mr Nate DeJonge: My name is Nate DeJonge, and I am a fifth-year student at Hamilton District Christian High School. I would like to thank you for the opportunity today to address the panel on the tax credit for independent schools.

Ontario is fortunate to have a variety of educational opportunities. It has strong public and Catholic systems, but there is also the freedom to choose independent education. Supporters of the independent system help fund the public education system through tax dollars while concurrently paying the tuition for independent schooling. We support a strong public education system; however, we also support the idea of educational choice. Our school currently receives no public support and is entirely funded by tuition dollars.

The parents and supporters of Hamilton District Christian High School believe the additional cost of education at a Christian school is justifiable so their children obtain a religious-centered education even though the high price tag often causes financial hardships.

The popular perception is that private schools consist of mostly upper-class families; however, our school population includes a wide cross-section of incomes. There are many people in our school who find it a struggle to make ends meet, let alone pay for the cost of private education.

Take, for example, the average two-income family with an approximate pretax income of \$60,000. After taxes and deductions, \$60,000 quickly turns into approximately \$40,000. Now imagine paying for the tuition of two children in the independent school system. Roughly \$14,000 of your income is spent, leaving you with \$26,000 to provide for your family of four. After the bare necessities of food, shelter and clothing, there is very little, if any, spending money left for luxuries or other things such as vacations, transportation, dining out etc. Therefore, in order to remain committed to the independent school system, certain sacrifices must be made. Over the years, a family with two children will spend nearly \$100,000 in order to send their children to an independent school.

In my family, my parents cannot afford to pay the tuition on their own. My grandparents have generously stepped forward and helped pay for my tuition and the tuition of my brother and sister over the past 17 years. Without their financial assistance, I could not have received an education based on my religious beliefs, and I thank them for that.

My friend Darrell and his family have also endured hardships because of the cost of independent religious schooling. His family has been paying for Christian education for him and his three siblings for the past 18 years. For those 18 years, Darrell's family have paid exactly \$123,565 for Christian education. This year alone, they have paid \$11,600 for Christian education. Each year, Darrell and his siblings are given the opportunity to attend a public school or to attend an independent Christian school and not go on vacation that year. Every year for the past 18 years, they have made the decision to attend a Christian school and every year they have given up a possible family vacation.

Darrell's family has also had to sacrifice luxuries such as going out for dinner and driving a new car because of the cost of Christian schooling. I asked Darrell when the last time he went out for a meal with his family was and he couldn't remember. I also asked him about the cars that his family drives. His family cannot afford new vehicles. They drive vehicles that are 10 years old or older and that are constantly in need of repairs. Just last month, his parents put another \$800 into the family van to keep it on the road.

I also know families where the students help to pay for their own education. Without their own hard work, these students would not be able to attend my school. There are also instances where the cost of tuition prevents the choice to attend an independent school. These families cannot afford the cost and consequently cannot attend the school of their choice.

These stories are just some samples of the many stories I could have shared. They represent the typical situation families are in when they send their children to independent schools. Many sacrifices must be made and many hardships must be endured so that children can attend my school and other schools like it.

The government's planned tax credit would relieve some of the financial pressure associated with the cost of tuition and would also be a show of recognition to the independent school community.

I would now like to turn the mike back to Jake Belder, who has concluding comments.

Mr Belder: In conclusion, we feel that the government of Ontario has taken a big step in the right direction. The proposed tax credit for parents of children who attend independent schools is something we are very appreciative of and thankful for.

The reason we feel so strongly about attending a Christian school is because we believe we must be educated in a Christian environment and taught from a Christian perspective. Likewise, parents of children who are of the Jewish, Muslim, Hindu and related faiths believe this

too. Because of our choices, we have all been treated unfairly up until now.

The United Nations, of which Canada is a member, has shown that Ontario's policy of funding the Catholic school system and not other religious schools, is discriminatory.

The proposed tax credits are a great step toward achieving equity and universality in Ontario. In addition, the actual tax credit guarantees that the extra funds we acquire will be used effectively and not wasted on excesses.

We have no desire to take away funding from the public and Catholic schools. We all deserve support from our government. We don't want the public and Catholic school systems to lose anything from their education, either; we simply want equity.

The present situation creates large financial stress on the parents who send their children to independent schools, and therefore they miss out on many things.

However, the government of Ontario has done a good job in proposing a tax credit for our parents.

As students, and future parents, we would like to thank the government for this act. We hope that this bill will be passed and that equity will be achieved in Ontario. Thank you.

The Chair: Thank you very much. We have one minute per caucus for questions, and I'll start with Mr Marchese.

Mr Marchese: I thank all of you for your presentation. I respect your views. I have a couple of quick questions. Do you have any young people of colour in your school?

Ms Kessler: Yes, we do.

Mr Marchese: So there's a fairly good mix?

Ms Kessler: Yes.

Mr Belder: We'd say that the mix is probably equal to any public school. Well, of course, less because our population is less, but overall, yes.

Mr Marchese: That's good. You were able to make a presentation here today. Would you also support students from a public school system coming—if they had a slot, because we don't have much time—and making a presentation?

Mr Belder: Absolutely. Everybody is entitled to their own opinion, so I would welcome the public schools making any presentation they wished to.

Mr O'Toole: I really have no questions. I just want to compliment you. As you said in your presentation, you represent the leadership of tomorrow. You also speak quite liberally on the whole idea of accepting a multi-cultural society, as Canada has changed since the formation of the basic premise of the public education system today. I think you are to be commended for taking this as not a political issue but as an equity and fairness issue. Keep up the good work and help us all in the future to be more appreciative and tolerant of how diverse and rich Canada is as a country.

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Mr Kennedy: Thank you for your presentation. I wonder if you'd consider two points—and we may not have time to deal with them all here—in addition to the points you've covered in your presentation. One is, you're obviously not ashamed or afraid of having anything to hide in terms of the school you attend and the position you take. Do you not think we should have a full public discussion on this? It would promote better understanding and some appreciation of everything that's at work here. We're forced to debate this in eight days, and then the government will force a vote on the question.

Secondly, and maybe your group could get together and comment on this, the benefits of this proposal tend to benefit private secular schools three to five times as much as the typical religious school insofar as the benefit to families. For many people, that raises a concern that it's not so much a question of religious fairness but a question really of a government creating a private secular system outside the public system. Any comments on either of those issues?

Ms Kessler: What do you mean by the second question? Sorry.

Mr Kennedy: For example, Sarnia Christian School has a fee of \$8,000, of which \$1,200 is the education credit. Only the education credit is eligible, for a benefit to those families of about \$600, whereas in a private secular school, when this is fully realized, the full \$3,500 would be realized. It all depends, and it will vary from school to school. For other schools, it could be a \$900 benefit and so on. The government designed this to be broader than just religious schools. I wondered if you had a comment on why that should be the case and why the benefit should be biased toward private secular schools?

Ms Kessler: I think they are addressing a needed issue. I think they're being very fair in the way they're doing things. I'm not quite sure, to be honest, exactly what you mean by the question, but I think they're doing a wonderful job in representing us, because you might not have noticed, but the public sector has gotten a lot of media lately. Sometimes we are left in the dark or not represented, and I think we definitely have something to give to everyone. We would totally welcome other people entering our schools. I think they're being fair in what they're doing.

The Chair: With that, we've run out of time. On behalf of the committee, thank you very much for your presentation this morning.

BARBARA HALL

The Chair: Our next presentation is from Barbara Hall. I would ask the presenter to come forward. On behalf of the committee, welcome. You have 20 minutes for your presentation this morning.

Ms Barbara Hall: Good morning. I thank you for the opportunity to speak with you this morning. I just regret that all of the citizens of Ontario who wish to make their

views clear on this very important issue don't have the same opportunity.

I'm here today to express my support for the comments that Premier Harris made in 1999 when he ruled out funding for private education. I'm also here in support of Minister Ecker's comments in January 2000 when she said that funding private schools would fragment and weaken public education and that the \$300 million to \$500 million that would have to go to support private schools would be taken from public education funding.

I'm also here in support of the views of a group called People for Education, who, like me, believe that a strong, broadly based and fully funded public education system is the basis of a vital and prosperous Ontario, and I would add a civil and a healthy Ontario.

I'm here as a citizen, proud to be a taxpayer in Ontario, to contribute to public education, although I don't have children and, thus, don't have direct benefit in that way, but I believe I have a very personal benefit in strong public education. I'm a citizen of a community, and having a well-educated populace, having a system which is accessible and provides equal opportunity to all young Ontarians, is of great benefit to me today and will be of benefit to me every day of my life.

Why do I support public education? I've raised the issue of equal access. I believe that in order to have the best society, we need to have an opportunity for everyone, every child, to have equal access to success. I believe it's through quality public education that we provide that opportunity.

In previous deputations' references to diversity—I'm sure all of you, like me, often comment on the diversity of the population in our province and in our city, and politicians often talk about the strength, the great positive, of the diversity. I have often said that I believe our diversity is our greatest strength as a society, but diversity isn't always easy. It provides many challenges with it, opportunities for conflict, for misunderstanding. Unless we have places where we can come together and learn, one, about our differences and understand those differences, but learn, more so, about our enormous similarities, unless we have opportunities to come together to get to know each other, I believe we have the possibility of that conflict and misunderstanding.

When we do have places—and I believe in Ontario there are many, many examples within our public system, places where people come together and learn about each other—we have marvellous opportunities. We grow and are educated in ways that were never possible when I was a student in public school.

Recently I saw a small, independently made film called *The Red Dot*, a film made in a Scarborough school growing out of some conflict around a Hindu student appearing with the red dot, or bindi. The school came together and learned about the meaning of what was, for one member of the school community, an expression of their religion. Through that experience, and this is shown in the film, all of the children came to understand the customs of that religious faith. I didn't take comparative

religion until second-year university, but here in Ontario we have many children and youth in our public schools learning that on a daily basis.

History: we turn to organizations like the Multi-Cultural History Society of Ontario, citizens who are working to develop content for curriculum. We have the opportunity for young people to learn not just about their own roots, but also the roots of all of the other students. When they do this, this has personal benefits for them, it has community benefits for them, it has benefits for the future of our economy, and it allows us to be an example to the rest of the world on how people can come together and live peacefully together.

This morning I came here to Queen's Park on the Wellesley bus, which is one of my local buses. I often go to work on the Wellesley bus, and it's jammed with students. I came later today and I was pleased that there weren't a lot of students on it; they were already in school. But when I see the young people on the bus getting off at Jarvis Collegiate, I see what I'm sure could almost be a roll call of the members of the United Nations. Traditionally, Jarvis has been a school which has had students from Rosedale as well as St James Town, Regent Park, Cabbagetown. A diverse community and diverse students have ended up in that school. People from very different backgrounds have sent their children and have been confident that their children would receive, one, an excellent education, and two, the knowledge of the other groups who live within this society.

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Recently, however, I increasingly hear about people who are no longer sending their children to Jarvis. The cuts to public education over the past years have started to cause the quality of education to deteriorate. Parents are frustrated. They're angry. Frequently I speak with parents who on the one hand are strongly committed to public education, and on the other hand are fearful about jeopardizing their children's future by leaving them in a school which doesn't any more have the same benefits or programs available. So I fear that the Jarvis of the future will become a very different place unless the resources are available to continue the excellent programs of the past which have put that school on the map. Parents are angry, and they won't jeopardize their children's education and their children's future. So increasingly, parents with financial means are removing their children from the public system and putting them into private schools.

I'm sure all of you, like me, grew up at a time when we assumed we would go to public school, and probably most of us did go to public school and all our friends went to public school. For middle-income Canadians, Ontarians, Torontonians, that's starting to change, and I believe it's a result of underfunding of our education system. I believe that's very dangerous.

I lived in England in the 1950s and saw the class conflict that arose from very different school systems, very different understandings. I lived in America in the early 1970s and saw the impact there of a badly funded public education system and the fact that middle-income

people struggled to finance their children in private schools because public education was not up to the standard they expected for their children.

We all know the saying, "If it ain't broke, don't fix it." But it is broken, and I'm here today to urge you to fix it. Fix our public education system, not by continuing to pull money out, not by financially encouraging parents to withdraw their children, but rather by adequately funding our public schools in Ontario and by committing, in words and in actions, to making them truly open and accessible, truly making them of high quality, making them the meeting place for the diverse peoples who call Ontario their home. Only then will our province and our cities have the opportunity to be vital, healthy and prosperous.

For starters, please withdraw the equity in education tax credit from Bill 45.

The Chair: Thank you very much. We have approximately two minutes per caucus, and I'll start with the government side.

Mr Hardeman: Thank you very much, Ms Hall, for the presentation. Obviously, you were here for the previous presentation just before you. I was somewhat pleased to see students at the school coming to speak about their school. In the students making the presentation I didn't see what you described as your concern for what will happen when parents make a choice for their children's education. Obviously all those who are here are here under the present structure; they've been going to the schools. We heard of the hardships that families have to go through to pay the tuition for their children to receive the type of education they want for their children.

In your presentation you're implying that the tax credit is in direct relation to education spending in the public system. If that's not the case—and let's make the assumption, as I do and would suggest, that the government's commitment to education is as strong today as it's ever been. It's the same budget that we're talking about. This year it has \$360 million more going into the public education system. Assuming that there is no connection between the two, could you tell us today whether you would then see a positive to providing the type of education that those five students were receiving at the choice of their parents?

Ms Hall: I believe there is a relationship.

Mr Hardeman: Let's just make the assumption that I'm right.

The Chair: Mr Hardeman, you posed the question.

Ms Hall: I think we're a long way from having a well-funded public education system, and if we were at that point, then I think it would be useful in our society to have that kind of very broad debate. But we're not there today and there's just so much money in the provincial pot. If \$500 million or \$700 million goes to tax credits for private schools, that is \$500 million or \$700 million not available to the public system to make sure that there are music teachers in schools, to make sure that there are libraries and librarians in elementary schools, to make sure that parents don't need to be out raising money for

books, for computers, for other things, to make sure that there are extracurricular activities for youth in high schools. Clearly there is not enough money currently being spent to fund public education, and thus I see this diversion as being an undermining of the public system.

Mr Kennedy: Mrs Hall, you're known as a champion for Toronto, and I think the member opposite may be enlightened to know that at least \$1,500 has been cut per student in Toronto. I just want you to go back. You endorsed the Premier's quote and the minister's quote. Specifically in Toronto, how do you see that lack of commitment to public education, the commitment to a new private system, not just religious but a whole wide private education system? What do you think that could do to the future of Toronto?

Ms Hall: I must say there have been a lot of issues over the last few years that have had an impact on Toronto and its citizens. But I don't think anything has been as powerful or as negative as the decision to fund private schools. We saw in the weekend papers a United Way report talking about the large number of low-income people in the city of Toronto. Many of those people are newcomers who don't have the ability to remove their children from an inadequately funded public system and put them into private schools. They don't have that choice.

I'm an optimist and I like to focus on the positive things that can happen when people come together and meet each other and get to know each other and understand and develop respect. I see fewer and fewer opportunities for that to happen. I think that will have an impact on all of our lives. This isn't about the interests of a few; this is about the future civility and health of this community, as well as communities right across the province.

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Mr Marchese: Thank you, Ms Hall, for your presentation. I have two quick questions. One, I know there are a number of people here today who would have loved to make a presentation but won't be able to. Do you believe this issue is significant enough, in terms of the direction it is taking us, that this government ought to have had hearings that were broader, of course, that would have taken us across Ontario a little more, and would have given people an opportunity to speak?

Ms Hall: Absolutely. I said at the beginning that I'm pleased to be here, but I wish that all the other people who care about this issue had a similar opportunity. I know that there's a broad number of people who want an opportunity to speak about this thing, which is a very drastic change in the funding of education in Ontario.

Mr Marchese: The other matter is the question of choice. People present this issue as a matter of respecting choice and that if people want to have a religious education, and that is the choice they make, the state should fund it. There are many arguments that have been made, but that's the presentation they make to this issue. What do you say to the notion of choice and respecting it and funding it?

Ms Hall: I think that the first obligation of government is to fund the public system, to provide opportunity to all children to have an option of a high-quality school system so that they can achieve their best. That choice is available. Perhaps some would say we're talking about Utopia to talk about a properly funded public education system. I don't believe that's Utopia. I believe we could reach that and we need to work toward that. If we reach that point, then I think it's not inappropriate to have a broad debate, discussion, with all players having a part, as to what governments wish to do with any additional funds they have lying around.

The Chair: With that, we have run out of time. On behalf of the committee, thank you very much for your presentation.

PEOPLE FOR EDUCATION

The Chair: Our next presentation is from People for Education. I would ask the presenter to come forward and state your name for the record, please. On behalf of the committee, welcome. You have 20 minutes for your presentation.

Ms Annie Kidder: My name is Annie Kidder and I am a spokesperson for People for Education.

I wanted to come here today and be able to say the 10 or 20 perfect words that would make the members of this government change their minds about the tax credit and tax money going to private schools.

I know that over the course of the next week and a half in these very, very limited hearings, you're going to hear a lot of numbers. You're going to hear that this tax credit will probably cost us, the taxpayers, closer to \$700 million, not the \$350 million originally announced. You'll hear that for every student who leaves the public education system, the government can cut \$6,800 from its education budget. You'll hear that well over \$1 billion has already been cut from the public education system. You'll hear that because this tax credit, unlike any other province, goes directly to parents, it will act as an incentive for them to take their children out of public schools. You'll hear that because public education is so underfunded, every child who leaves the system brings another school closer to closing or losing its librarian or music teacher. You'll hear that 59% of Ontarians oppose the tax credit, that 68% think it's a bad use of tax dollars and that 87% of Ontarians believe that if private schools receive public money they should be required to meet the same provincial standards as public schools.

You'll hear all sorts of numbers and statistics over the next eight days, but maybe when it comes to the perfect words, the words that will make you understand the damage that this will do, you need to hear from a parent. There are two million students in the public education system in Ontario. They don't have any high-paid lobbyists working for them. They don't have any connections to the inner circle that controls the cabinet. They have their parents.

Tomorrow morning in a school, in a publicly funded school in Toronto, we will release the People for Education's fourth annual tracking report. This is a survey that goes to every school in Ontario. It's not an opinion poll. It just asks parents to take an inventory of their schools so we can keep track of the effects of policy and funding changes. We just ask parents to count things in their schools. "Do you have a librarian or a phys ed teacher? How many custodians does your school have? Does your school have a secretary? Are there children on waiting lists for special education in your school? How much fundraising do you do and how much of it is for school supplies or textbooks? What are the class sizes in your school?" It's things like that, things parents care about in their schools.

What we know from this year's results is that now is the time to put money back into the public education system; now is the time for the government to recommit to public education in Ontario; now is the time for the government to ensure that every child in Ontario, regardless of their economic status, the language they speak, their race or religion, is given a chance to succeed in a publicly funded education system.

When I was looking for the perfect words to say about schools and what parents think about their schools, and the perfect words to make you understand how important it is that, if the government of Ontario has extra money to spend on anything, it be spending it on public schools, the most perfect words I could find were in a letter that was sent with our tracking survey from a school in the Lambton Kent board. This is a letter from the chair of the school council.

Some people don't seem to be interested in it, but I will read it anyway. Would you like to listen?

Mr Hardeman: Yes.

Ms Kidder: Thank you.

"Our school is a wonderful school! It is located in the country and has a manageable amount of students attending. Our school has an enormous playground in which our children can safely play and learn about the world around them. The staff at our school is very dedicated and hard-working. They set a good example for our children and the best interests of each student are taken into account when making decisions. This can be done when the amount of children in a school is reasonable and all of the students are well known by the staff.

"Fortunately, we also have a very supportive parents group who work co-operatively and are helpful with regards to assisting our school in many ways.

"A country school provides an ideal situation for learning academics and producing a strong, responsible member for our society.

"My main concern about our school is all the 'cut-backs' we have had to endure.

"Our school had a music program and with the support of a music teacher our whole student population was exposed to a background in music. Our school board no longer employs music teachers.

"At one time our children were transported to a local school where they were taught design and technology skills. What better way to prepare our children for adult life and the working world. This program no longer exists....

"Support staff has also been cut to a minimum. Many students struggle academically; however, there is no money to hire support staff to give individual attention.

"A VIP program was run in conjunction with the local police department. This is another very valuable program that has suffered cutbacks.

"Sporting events have been restricted because of lack of funds for busing students to different schools and money is not available for supply teachers to replace the classroom teacher accompanying the sports team.

"Our library is maintained by our principal and a parent volunteer. Is this fair to place responsibility on a volunteer and someone who is already performing a full-time job?

"Each of these 'cutbacks' has affected our school and every other school in Lambton county. It has been very disappointing to watch all of these valuable services disappear or change."

Those are the most perfect words I can think of.

I'm here to say that taking money away from the public system, taking public money and using it to fund private schools, which can exclude whoever they want and which are not accountable to the government, is going to mean more damage to this woman's school, it's going to mean more losses in this woman's school.

I plead with this government to rethink this policy, to remember the two million children in the public education system and do your job, which is to be advocates for those children. You have to be the lobbyists for those children.

1210

The Chair: We have approximately three minutes per caucus and I'll start with the official opposition.

Mr Kennedy: Ms Kidder, I know you can't relate the tracking report, but you've done this in years past. There was a statement a week and a half ago by the Premier that the reason he is changing his mind and funding private schools, when he said before that he would not, is that there's lots of money now, that the economy is working and there's money in public education. We have submitted a set of figures we've yet to see a response to from the government side. You started off talking about figures. I just wonder if you could relate, though, in any way you like, how that statement resonates with you.

Ms Kidder: Tomorrow, when we release our tracking report, we will show that there is an increased number of students on waiting lists for special education. Parents are fundraising more than ever before for classroom supplies and textbooks. We will release numbers that show the damage that's been done to the system and especially the damage that's been done over the last year to specialist teachers, psychologists and social workers in schools. We will talk about small schools and what has happened to them over the last year.

If the Premier says that there is more money and that there is lots of money in the economy, then I go back to what I said before: that money should be spent in the public education system, which is suffering dearly right now.

Mr Kennedy: I wonder if you could comment for us philosophically. The government has said this is about parents having choices. This is the government line, if you like, that's been picked up by many other groups and I'm just wondering—

Mr O'Toole: Mr Chair, the word "lying," I want that struck.

The Chair: Mr Kennedy, you will have to retract that word, please.

Mr Kennedy: I said "line." I said it was a "line." In other words—

The Chair: We can play with words, Mr Kennedy, but I think—

Mr Kennedy: I don't want to be misunderstood. I just said it's the statement of the government. I didn't say they were lying. I just want to be clear.

The Chair: OK.

Ms Kidder: The government line.

Mr Kennedy: The government statement or the government public relations have been about parent choice, yet I've been struck in my travels around the province by how fewer and fewer choices are available to parents for their kids within public education. I just wonder if you can attest to that, or how you would remark on that whole idea.

Ms Kidder: I think it's very important that parents have choices and that parents be allowed to make whatever choices they want. One of the things there used to be in our public education system was a lot of services and supports for parents of many different kinds of communities. We used to have more ESL teachers. We used to have anti-racist funding within the public education system. We used to have a lot of work done in the area of understanding and nourishing the diversity within the public education system. That has been taken out of the public education system. Parents should be able to choose between fully funded, fully equipped, broadly based public schools, and that choice is being taken away from them.

This legislation is going to do more damage to the public education system than anything this government has done before. It's not about choice; it's about taking money out of the public education system. It's about not understanding how important investment is in the public education system, because it's the next generation of society we're taking care of, and if there are any dollars, that's where they have to be spent.

The Chair: I have to go to Mr Marchese.

Mr Marchese: Your main argument is that we should be investing more money in education, because primarily this government has taken money out of education. I'm in full agreement with you in that regard, in spite of the protestations of members who are saying, "We've put in millions of dollars." The Minister of Finance—they all

claim they've put millions of dollars into the education system, while you describe a litany of problems we're facing in the public school system. So you and I are in agreement and most of the people who are involved in education are probably in agreement.

But what about the philosophical arguments? If there were more money put into the education system, would you then say it would be OK for governments to fund religious schools from public dollars?

Ms Kidder: This piece of legislation is not about funding religious schools. That's not what this is.

Mr Marchese: I appreciate that.

Ms Kidder: As to the bulk of children who are in private schools, it's not the majority who are in religious schools.

Mr Marchese: I understand that. It's non-denominational schools and religious schools. You're right.

Ms Kidder: This is not about funding religious schools. This is about fragmenting the public education system. This is about giving money to private schools that can exclude whoever they want to exclude. It's about giving public money to private schools that have to meet no provincial standards up to grade 8. It's about giving money to private schools what will further fragment the system when what we need to be doing is bringing the system together. This is not an issue about religious freedom.

The Chair: You still have a bit of time.

Mr Marchese: You're quite right. To be fair, it funds non-denominational schools—the bulk will go to them—but it also funds people who send their children to religious schools, obviously. It does do that through the tax credit. And while they don't call it a voucher, we argue it is effectively the same except they call it a tax credit. The money goes into both systems.

Ms Kidder: It's a voucher because it's money that a person is given to spend in the private education system. I would argue that it is the job of government to support a system that is for everybody. That is their job, and I think that is the first job they have to do. That's where the support and the money has to go right now.

It has to be understood that this tax credit is not happening in a vacuum. This tax credit is happening at a time when parents have spent the last six years having their children in a system that's been underfunded, that's been destabilized, that's been mismanaged. It's not happening at a time when public education is flourishing and being given the full support of the government. You cannot say, "On the other hand, if it were a different kind of world..." We have to deal with the world we have right now, and right now we have a government with no commitment to public education, and then they're doing this, which will undermine it even more.

The Chair: Mr O'Toole.

Mr O'Toole: It's good to see you again, Ms Kidder. Appearing on all the education reform bills, you've opposed all of them: the quality ones, the accountability ones, so—

Ms Kidder: That's not true, Mr O'Toole, thank you.

Mr O'Toole: Just a brief summary, there.

It's too bad you missed a couple of presentations this morning by the Hamilton District Christian High School. The students were just superlative in their tolerance and their thirst for equity. It was quite genuine and not quite as orchestrated as some presentations. The other presentation this morning, by the Sikh community, the Khalsa school, was one that embraced the opportunity for parent choice. I'd be remiss if I didn't mention the Jewish Parents for Equality in Education Funding.

We've generally been hearing from those schools that are very much accountable to the parents who've made the choice. That's what I've heard most strongly—parent choice—and with that the mechanism of accountability, the relationship between how their children are educated, where they're educated and who's accountable to whom. Are they accountable to Earl Manners, or are they accountable to the parents?

In some respects you have spoken, I must respectfully say, about parent choice. I've heard you say that. "Fully funded, broadly equipped" is another term you've used. I'm hearing, on one side, that it's between \$4,000 and \$5,000 in the independent school. The parents are paying that and they're looking for some equity on that at the independent schools. It's \$4,000 or \$5,000; in ours it's about \$7,000 per student. I guess the question is: the money goes in and where it goes is sort of like the black box question. So it's about \$7,000 per student versus \$5,000. Most of your presentation here this morning was asking for more money. I have a question, Mr Chair: how much more money do we have to give the public education system, and what are we going to get for it? Extracurricular? How much more money, and what would we get?

Ms Kidder: Is that your question?

Mr O'Toole: How much more money do you think would solve the problem for the public system today, \$8,000—

The Chair: Mr O'Toole, you've posed the question.

Ms Kidder: Can I answer the question, please? I want to answer the first part of your question first, to do with accountability. Your government, sir, talks about accountability in every piece of legislation they've passed. They love accountability. They talk about nothing but accountability. When you speak of accountability, you speak of it to the people of Ontario, because we are taxpayers. We're talking about public money, and that's why there has to be public accountability for it. Saying that public money can go somewhere where they're accountable to a very small group of people has not been the policy of your government at all. It's an extraordinary thing for you to say. The poll we commissioned said 87% of the people in Ontario believe private schools should meet provincial standards if they receive public money.

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Now I'll answer your second question. In our tracking report tomorrow we make recommendations as to exactly where the money should be spent. We say the thousands of children on special education waiting lists should be

taken off those waiting lists by funding psychologists. We say that all elementary schools over a certain size should have music teachers and librarians and that their libraries should be open more than two days a week. We say there should be enough custodians in schools to keep them clean.

We have itemized what schools need and what has been cut from schools over the last five years. We're not just saying, throw money at the system. What we're talking about is what has been cut out of the system, and it can no longer be blamed, as Mr Flaherty has, on school boards and their palaces. There is now a law about how much school boards can spend on administration, and that is all that is being spent. The rest of the money is coming out of our children's schools.

The Chair: With that we have run out of time. On behalf of the committee, thank you.

ONTARIO MULTI-FAITH COALITION FOR EQUALITY IN EDUCATION

The Chair: Our next presentation is from the Ontario Multi-Faith Coalition for Equity in Education. I would ask the presenters to come forward. You have 20 minutes. On behalf of the committee, welcome.

Mr Gerald Vandezande: Thank you, Mr Chairman and members of the committee.

Just for the sake of clarity, it should be understood that I appear here as a retired government relations co-ordinator and also that the Ontario Multi-Faith Coalition for Equity in Education did not include representatives from the Jewish or Buddhist communities. There were representatives from the Islamic, Hindu and Sikh communities as well as numerous Protestant Christian groups.

I also want to make the point that my children graduated from Christian elementary schools and from one Christian high school and one public high school, and my grandchildren attend Berner Trail public school in Scarborough.

It is my deep conviction, and I'm sure you'll agree, that justice delayed is justice denied; fiscal fairness delayed is fiscal fairness denied. That's why I support in principle the introduction of a refundable tax credit as proposed in Bill 45. However, I do so on the following conditions:

- (1) that there be public consultations with respect to the definitions that will be included in the regulations to be issued in connection with the tax credit;

- (2) that all educational stakeholders—public, separate and independent—be at the table to help formulate mutually acceptable criteria and definitions; and

- (3) that the Legislature appoint a special committee whose task it should be to examine how best to expand the existing public and separate systems to ensure that they become fully accessible, inclusive and non-discriminatory, so that alternative programs and independent schools become bona fide partners within the Ontario system.

In that connection, Mr Chair, I want to refer you to the appendix, called Guidelines for Public Justice in Education, which my friend and private consultant, Lyle McBurney, helped formulate way back in 1988 when we were negotiating with the Liberal government, and subsequently with the New Democratic government.

What is lacking in the current debate on the proposed refundable tax credit for parents of children at independent schools is the urgent need for an appropriate framework for an inclusive education system, a framework that would make it possible for faith-based and other independent schools to become bona fide partners in a non-discriminatory system of education in Ontario. Our province urgently needs a consistent education policy that is shaped by a common denominator defined by public justice for all citizens.

"Justice" is not spelled "j-u-s-t u-s." The government needs to do equal justice to all Ontarians. It must not merely protect certain powerful interests. Ontario needs an inclusive policy that promotes the common good of all.

The Legislature must develop an education policy that is not driven by private interests or partisan priorities. It must deal with the public good of all. That is quite different than the ideological pursuit of majoritarian interests. A non-discriminatory legislative framework would deal fairly with the educational rights and responsibilities of all parents, students, teachers, schools and boards.

Such a justice-rooted approach provides clear guidelines on how we can relate respectfully and live together harmoniously, on how in our society, with its diversity of beliefs and values, all Ontarians can engage equally in the responsible exercise of our citizenship. Good policy advances and protects educational justice for all without discrimination, as guaranteed in the Canadian Charter of Rights and Freedoms.

In an open society, government ought not to permit any faith or ideology to have socio-cultural dominance. The government should establish equal educational opportunity and social space for all, including minorities. Public recognition of Ontario's diversity allows people to think and act according to their basic convictions, provided that their actions do not violate other people's human rights and social responsibilities. This public-justice commitment affirms genuine pluralism and facilitates the legitimate participation in society by different faith and values communities. It rejects the ideology of the melting pot, which insists on a colourless uniformity in the public square. Instead, it affirms the socio-cultural reality of the Canadian mosaic.

Good policy ensures that all citizens and communities, with their various views of life and education, can exercise their legal equality rights and fundamental freedoms. All are entitled to enjoy the equal protection and equal benefit of the Canadian charter, the Ontario Human Rights Code, and the UN's Universal Declaration of Human Rights, which recognizes that parents have a prior right to choose the kind of education that shall be given to their children.

A truly pluralistic education system is an inclusive system, a democratic system that comprises all the members of the public. It is a non-sectarian system that also invites faith-motivated and other values-based independent schools to become integral partners in an expanded system that accommodates them with their alternative educational perspectives and programs intact. These partners would not be seen as fearsome competitors but as friendly contributors to an enriched, multi-faith, multi-cultural education system that advances quality learning for neighbourly living and Canadian citizenship.

For example, in Alberta, Edmonton public schools are giving people educational options. EPS programs ensure that parents and students have various options in educational programming while following the provincial curriculum. They are developed based on feedback from parents and the community. Their spectrum seeks to meet the changing needs of students. These alternatives include several aboriginal programs and Christian schools, language programs, including Cree and French as a second language, and Arabic, Hebrew, Mandarin and Ukrainian bilingual programs. Then there are special-needs programs and a number of transition programs for students at the junior and senior high school levels who are not experiencing success in traditional school environments. Let me emphasize, this choice is available under one huge public umbrella, adequately funded by the government.

My proposal is the following: that the Legislature should empower both the public and separate systems to allow and enable the local boards of education to provide the equivalent of Edmonton's model. These alternative programs and schools would be required to meet specific educational guidelines and fiscal conditions, such as following the provincial educational criteria and being publicly accountable to the relevant school boards. The goal would be to promote diverse learning opportunities, responsiveness to students, parents and various communities, as well as provide accessibility and flexibility. Thus, various alternative educational programs and independent schools could be accommodated and become integral partners within the public and separate systems.

1230

Such an inclusive system recognizes that different peoples have different beliefs and have the legal right to live and educate in different ways. This open system would be genuinely representative, adequately funded, and publicly accountable. It would develop mutually acceptable academic criteria, curriculum guidelines, teacher qualifications, admission policies, and health and safety standards. All partners would respect the world views and core values that reflect our precious Canadian mosaic. Educational alternatives, already provided, by the way, by a few public boards such as the Niagara and Toronto boards, would contribute to the quality of learning for societal responsibility.

Such all-embracing education helps to build a caring and sharing society that increasingly becomes a beacon of hope and light. Our political parties owe it to the

common public good to work together in a non-partisan way on this major project

In conclusion, educational justice delayed is educational justice denied. Delaying fiscal fairness is denying fiscal fairness. Delaying justice and fairness is like saying to poor and powerless people, "We'll be fair and equitable to you after we've taken care of the rich and powerful." It's like saying to aboriginal peoples and visible minorities, "We'll recognize and respect your legal equality rights and fundamental freedoms after we've looked after the rights and interests of white people." It's like saying to gay and lesbian people, "We'll safeguard and secure your human rights and civil liberties after heterosexual people's demands and interests have been looked after."

Clearly, that would not be a fair, just and respectful way to demonstrate genuine respect for the human dignity of all Ontarians. Let's resolve to demonstrate, in Ontario law and public policy, that we, together, are determined to promote and practice full-fledged justice and educational equity for all Ontario students, parents, teachers, schools and boards. Indeed, let's work together for a vibrant, mutually respectful Ontario where the common good, rooted in justice for all, finally prevails. Thank you for listening.

The Chair: Thank you very much. We have two minutes per caucus, and I'll start with Mr Marchese.

Mr Marchese: Mr Vandezande, do you oppose public dollars for private, non-denominational schools? We haven't talked much about that here.

Mr Vandezande: I propose and support public monies for all public, separate and independent schools that would meet the criteria that I speak about in my submission. I think only those alternative programs and independent schools that are prepared to co-operate within a broad, what I call Ontario system of education, are entitled to the kind of protection that the Canadian charter, the Ontario Human Rights Code and the UN declaration speak about.

By the way, the Supreme Court of Canada, in 1996, ruled unequivocally that the province of Ontario is perfectly entitled and permitted by the Canadian charter to fund schools outside of the existing public and Catholic systems. It is permitted to do so, it is free to do so, it may do so, and I think it is obliged to do so, morally, today.

The Chair: You have time for a quick point.

Mr Marchese: It's not a quick one.

The Chair: We've only got about 30 seconds.

Mr Marchese: Let me pose it. Currently, as the system is, many of the religious schools sometimes appear to be very uncultural. They appear not to have the mix of students that one would like possibly to see. I'm not sure that some of these religious schools accept gays or accept homosexuality as something that is either acceptable or normal. Do you have concerns about religious schools that have such views? They have no children with disabilities etc?

Mr Vandezande: I have appeared before numerous committees, long before the parties here passed the legislation with respect to public protection of gay and lesbian

people. I have appeared before this committee to make sure that poverty is eradicated in this province. I have, and our organization has, worked hard, all the way up to the Supreme Court, to make sure that aboriginal people are protected.

What I'm saying to you is I am utterly convinced that given the proper input and participation by the public, Catholic and independent school systems, a reasonable agreement can be reached as to what the criteria and conditions should be to ensure that our constitutional documents, people's constitutional rights, including the rights of religious parents and schools that you heard from this morning, will be properly recognized, acknowledged and respected in law and in public policy and funded.

Mr O'Toole: You've appeared before many committees and I commend you for that. You've always had a consistent view of standing up for all. I like the way you've broken down "justice" to "just us." In the public system, the outrage today perhaps comes under the term "as long as it's us, just us."

I do have a question. You have the provision here conditional on three supports, which is in your opening statement. I just wondered if you could accept whether this is a good initiative—I mean, the details could be worked out and I'm sure you'll be monitoring them—or is it, let's close the door once more?

Mr Vandezande: Previous governments have consistently closed the door to Jewish, Protestant Christian, Buddhist, Muslim, Sikh and other schools that sought public recognition, public funding, public participation outside and within the public system. I was part of that over the last 40 years. The have been recommendations made by the Shapiro commission, by other committees, to do something. No government has done anything. My hope, my dream, is that something be done.

I draw your attention to the appendix. In 1988, we drafted, on behalf of a great variety of communities, guidelines that we then advocated be adopted by the government of the day and by the opposition parties to use in formulating a public policy that would do justice to all, discriminate against none within the legislative framework that respects the Human Rights Code, the charter and all that comes with it. We need to take those determined risks, because all Canadians are entitled to equal protection of their citizenship, equal protection of their rights in law, and also equal protection with respect to their religious, ideological and other value systems that may come into play in education.

The Chair: The official opposition?

Mr Kennedy: I want to say "Mr Vandezande," but I have to say "Gerald." I've known you for a quite a long time.

Mr Vandezande: Why not? It makes it easier for me.

Mr Kennedy: Except for this. I'm going to ask you a somewhat difficult question. You're urging us to say, if something's done, it's better than nothing being done. Yet you look at your framework, you look at the principles you're talking about here for justice, and we have a shotgun piece of legislation and eight days to

discuss it. Everybody's thrown into the same soup. There are no distinctions being made here between people who meet the criteria or not. Maybe some people will get to consult with the finance minister. He made it very clear in his press conference—not his four minutes of questions here, but in his press conference—that maybe some people could talk to him privately.

So I want to ask you, can what you've described here, can this framework that you say would meet justice, be reached by the process we're in today?

Mr Vandezande: I gave conditional support, and the conditions are clear. So it is crucial to me that the public consultations that I speak about in the three points indeed be carried out and that this committee should have the audacity and the courage to say to the minister and the Premier and the Minister of Education, "We need public consultation with respect to the key criteria that are at issue." At the same time, I would say to the opposition parties, do not throw the baby out with the bathwater. It is very important that Ontario for once now take a public stance.

When I read the ads by your leader, Mr McGuinty, and I see his letters to friends of mine and I hear him saying—I wish he were here—that public tax money is meant for public education, then I say be sure not to exclude any members of the public.

Mr Kennedy: But I asked—

Mr Vandezande: Just a minute.

Mr Kennedy: Yes, go ahead.

Mr Vandezande: Practise justice. Practise fairness. In a letter as recent as May 31, he says, "My acknowledgement that there is a fairness issue in the way Ontario funds religious schools has never"—underline—"wavered." I say demonstrate that, show it, and support the legislation, but insist on making the public consultations with respect to the conditions that must obtain in order to be entitled to public funding, public recognition. That can be done. I've seen it done before. I appeared on Bill 26 years ago—my MPP took the initiative; one of your members took the initiative—and through a session in the Legislature, forced the government to reconsider.

I think you have the political power, if you have the political will, to pull that off for the sake of the common good of all, rooted in justice for all.

The Chair: With that, we've run out of time. On behalf of the committee, thank you very much for your presentation this morning—or this afternoon, I guess.

Mr Vandezande: I'll be glad to appear further, Mr Chairman.

The Chair: This committee is recessed until 4 o'clock this afternoon.

The committee recessed from 1241 to 1600.

TORONTO DISTRICT SCHOOL BOARD

The Chair: If I can get your attention, I'd like to bring the committee back to order. It is 4 o'clock.

Our first presentation this afternoon is from the Toronto District School Board. On behalf of the committee,

I would like to welcome the presenters. Could you please come forward and state your name for the record. You have 20 minutes for your presentation.

Ms Irene Atkinson: My name is Irene Atkinson and I am chair of the Toronto District School Board. I'm here today representing over 300,000 students and 1.4 million taxpayers in the city of Toronto.

The Toronto District School Board believes that public education is the most important element in maintaining a strong and stable democratic society. However, Ontario's public education system is under attack.

The proposed education tax credit is a \$3,500 voucher for parents who choose to send their children to private or religious schools. This is in addition to the other tax supports and write-offs that most religious schools already enjoy, such as income tax deductions for the religious portion of the tuition fees. The government has stated that this will cost Ontarians a total of \$300 million annually once fully implemented.

This tax credit will reduce our board's funding by approximately \$6,500 for every student leaving our system for private schools, a net saving to the government of \$3,000 per student.

Extraordinary diversity enriches our school system, but also presents many challenges not faced by other school boards. These challenges must be met so our students can achieve success in school. Along with parents and guardians, we are responsible for preparing tomorrow's citizens by ensuring they can be productive and contributing members of society.

We welcome this task, but we need the tools to do it properly. In this, we agree. You want effective, cost-efficient education. So do we. But children are not widgets and learning does not occur in a vacuum. Programs and services that support student learning are critical for student success.

Between 1996 and 2003 funding for our schools in Toronto will have been reduced by half a billion dollars. How can the provincial government remove hundreds of millions of dollars from Toronto's public schools while giving private schools tax credits? Our system can compete with the best in the world, but we have to have a level playing field. We are calling on the provincial government to level the playing field for all students by giving public schools adequate funding to ensure equity in education.

Lest you think we are crying wolf, consider the following: a recent OSSTF survey found that 15% of parents would consider private schools because of the new tax credit. If all these parents removed one child from Toronto District School Board schools, that would represent a loss of 39,000 students. Assuming equal numbers are removed from elementary and secondary schools, which are most likely to lose students to private schools, that represents a potential funding loss of \$225 million, or about 11% of our total budget.

In order to cope with this significant reduction in revenue, major restructuring would be required by the board. The first outcome would be the reduction of 1,700 teaching positions and many other support staff such as

supply teachers and education assistants. The reduction in enrolment would also mean that many schools would be forced to close, particularly those in areas where a high percentage of students would leave to attend private schools.

Further, the board does not receive full funding for building maintenance and operations where school attendance is below the 80% capacity level. Loss of students in these schools would have an extreme effect.

In summary, the board could not adjust its levels of operations resulting from the reduction in enrolment and grant revenue quickly enough to avoid a deficit position.

We at the Toronto District School Board celebrate diversity in our schools and work hard to instill a sense of tolerance and respect for all cultures in our classrooms every day. We have a proven record, developed locally over many years, of successfully educating our diverse student population, and it is a record of excellence.

The Toronto District School Board calls on Premier Harris to withdraw the proposed equity in education tax credit until full public hearings and research have determined it will not place the public education system at risk. The board also calls for restoration of adequate funding to the board so that it can continue to provide quality education to the students of Toronto.

That, Mr Chairman, is my presentation.

The Chair: We have approximately four minutes per caucus and I'll start with the government side.

Mr Hardeman: I think, when you started your presentation, you talked about fairness and a level playing field for all students. I know you may have a little trouble agreeing with me on the premise to the question, but I would just like to go to the end. The government's commitment to public education is secure and that's why there is \$360 million more in the public education budget this year than there was last year. The level playing field, the parental choice and the issue of fairness for the students and the parents who have chosen, for whatever reason, to think that what is presently being provided in the public education system is not what they want for their children: do you believe there is some need for fairness in addressing that so all children have an equal opportunity in society as opposed to all children having the opportunity to fit in the mould we've set for them?

Ms Atkinson: Mr Hardeman, I don't really think it's my place to comment on that. That's going to be a government decision. The point I'm making today is that, if you do that, it should not be at the expense of the public school system funding or reducing services.

You've mentioned an increase of \$360 million. That translated, for the Toronto District School Board, into a general legislative grant increase of \$37.5 million. Our funding pressures are over \$35 million for wage settlements, the incredible increase in the cost of fuel, which for the Toronto District School Board was an annual increase of \$17 million, and \$5.1 million for inflation. So we're not even keeping even with the increase in the general legislative grant. We're going backwards because of the funding pressures and the enormous increase in enrolment that we're getting.

Mr Hardeman: Am I to understand that you are not here today objecting to fairness and equity in the education funding formula to provide some relief for parents who make the choice, for whatever reason, that your concern is more for the level of funding presently in the public education system?

Ms Atkinson: Yes. The way the optics of this are to those of us in the public school system, which is open to all regardless of race, colour, creed, religion, whatever—all children can come to us—is that the tax credits, the private school tax credits, are being funded at the expense of reductions to public school funding.

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The Chair: Thank you, Mr Hardeman. We'll go to the official opposition.

Mr Dalton McGuinty (Leader of the Opposition): Madam Chair, let me begin by thanking you for appearing here today, and let me take the opportunity as well to thank you for the work you do on behalf of the Toronto District School Board. It has become fashionable in too many circles of late to criticize those who shoulder the responsibility for public education, particularly those who take on the job of trustee.

I was surprised, and frightened, I think may be the appropriate word, to get your estimate that it represents a loss of 39,000 students based on your calculations with a commensurate potential funding loss of \$225 million, which is close to 11% of your total budget. I believe we have a responsibility in government and positions of authority to inspire confidence in parents when it comes to the quality of public education being afforded to their children. What would this mean from a parent's perspective? What would it mean in terms of, if I were a parent with my four children enrolled here in Toronto in the public board, what changes would my children experience as a result of this policy? You told me in terms of numbers, but in terms of on the ground, in the classroom, what would it mean?

Ms Atkinson: One small statistic you didn't mention is the loss of 1,700 teaching positions, plus ed assistants plus supply teachers and so on. It may mean for some schools that the children will not be able to go to their local neighbourhood school because it will be closed because enrolment will go down.

Trustee Donna Cansfield in Etobicoke has one school that's 95% Muslim, so that school may very well become a private school, and the other 5% or so would have to be relocated elsewhere. That's one quite obvious difference. If you reduce the number of teachers overall because your enrolment goes down, you will lose in elementary school specialty teachers. It will be much more difficult for the schools to staff and provide a variety of options, and that would also apply to the secondary schools. The ramifications for us could be quite dramatic and quite severe.

Mr McGuinty: So it would have a negative impact on the quality of education for those children who remain behind in the public system.

Ms Atkinson: Yes.

Mr McGuinty: The government asserts day in and day out that it will not have such a negative impact. Obviously, based on what you're telling us here today, it will.

Ms Atkinson: Yes, but Mr McGuinty, if I may, the government insists every day that the reduction of half a billion dollars is only going to make the public school system better, so I suppose they'll try anything.

Mr McGuinty: Yes. You should know that contrary to the government's approach, we put forward a plan to improve education. We call it Excellence for All, and we would start with an investment in smaller classes from JK through to grade 3. The government removed money from the public system. We would invest in a public system. Frankly, what I want us to be able to do is compete in a sense that we will inspire confidence in the minds of our parents and we will afford our children the very best education through the public system. But we need the tools to do it; we need the resources to get the job done. That's one of the most frustrating aspects of this new policy. It will further rob us of the tools we need to improve public education.

Ms Atkinson: One of the major US television stations about six years ago did a study of education systems and their conclusion was that the system in Metropolitan Toronto was the best in the world, and we would certainly like to keep it that way. We are now being forced by the government into a state of competition with private schools and we must be given the resources to do that with a level playing field.

Mr Marchese: Madam Chair, welcome. Mr McGuinty touched on some of the issues you've spoken to, but it's important to repeat the questions because we have a hell of a time with those Conservatives on the other side, who continue to say, and you heard Mr Hardeman say, "We've given \$360 million," suggesting of course that it's so much money you ought to be happy with it, and that if you're not happy with it somehow you're wasting it once again on some mythical fat bureaucracy over there. But you pointed out that you get \$37 million—

Ms Atkinson: Thirty-seven and a half million, to be precise.

Mr Marchese: I'm sorry for that half; I'm sure it's going to make a big difference. You get \$37.5 million out of that \$360 million, and you said that barely meets some of the pressures you've got to deal with. You mentioned hydro costs being up \$17 million, of which they only cover \$6 million, I believe you said, and there are other costs.

Ms Atkinson: That was only for last year. This year we don't get a penny. Sorry for the interruption.

Mr Marchese: How could that be? Where is all this money they're giving you going? With all this money they're giving you, all these billions of dollars that are going to education, how come at the Toronto board you're losing—what?—at this point approximately \$300 million, \$325 million or \$350 million, and in the next couple of years another \$200 million? How do the two correspond between the losses and what they claim,

which is oodles of money going into the education system?

Ms Atkinson: I think that's a question you have to put to the other side.

Mr Marchese: There's no point in talking to them.

Ms Atkinson: I'd like to point out that we have another significant pressure I didn't refer to here, but now that we're talking about money, the government gives us in the funding model—what I really think we need is a proper, formal review of the funding model. At any rate we're given \$37 million a year for capital, which sounds like a lot of money, except that by industry standards we should be having about \$100 million a year. The old Metro school board, as you will recall, used to provide \$70 million a year for capital projects. We have documented proof of \$310 million worth of critical building maintenance that is unfunded. This is for things like boilers, roofs, window sashes, basic structural things that we need. There's no way we're going to find that money in the next five years.

Mr Marchese: The other question most critical for me is that you pointed out very graphically how the funding of religious schools and the nondenominational schools—of which by the way no one has appeared yet and is not likely to—would be a loss in terms of money, a loss in terms of teachers and a loss in terms of the funding formula and the implications of it to the school board—

Ms Atkinson: And possibly schools.

Mr Marchese: But don't you think this government ought to give some guarantee? You see, I don't trust them. Don't you think they should give you some guarantee that if there's going to be such a dramatic loss as we anticipate—they say no, but if there is—shouldn't they say, "Don't worry, we will make up for it"? Isn't that a demand you want to put to this government?

Ms Atkinson: What we are actually asking for is just to withdraw this.

Mr Marchese: That would be the better thing, of course, but that's not likely to happen.

Ms Atkinson: That is my board's position, asking to withdraw until full public hearings and research have determined it will not place the public education system at risk. That's what we're asking for.

Mr Marchese: Irene, they're not going to withdraw it; you know that.

The Chair: With that, we've run out of time. I'm sorry. On behalf of the committee, thank you very much for your presentation this afternoon.

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ONTARIO PUBLIC SCHOOL BOARDS' ASSOCIATION

The Chair: The next presentation is from the Ontario Public School Boards' Association. I would ask the presenters to come forward and state your names for the record. On behalf of the committee, welcome. You have 20 minutes for your presentation this afternoon.

Ms Liz Sandals: Good afternoon. I am Liz Sandals, President of the Ontario Public School Boards' Association. I would like to introduce my colleagues Gerri Gershon, who is second vice-president, and Rick Johnson, who is the regional vice-president for the central east region of our organization.

Thank you for the opportunity to address you today. Public school boards across the province are deeply offended by the provincial budget, which contains in it a refundable equity in education tax credit. Let me be clear: there is nothing equitable about taking taxpayer dollars from the public education system. It affects all of us. It affects over 95% of the children in the province who attend the publicly funded system when they lose programs and resources they desperately need. It affects society when we begin fracturing along class, religious and cultural lines. It affects rural communities that will face challenges to keep small schools open. It affects large cities with immigrant populations, whose children currently learn with children from all income levels, faiths and cultures.

Our association deeply believes in the value of our system of public education. Public district school boards and school authorities in Ontario provide every individual with equal access to educational opportunities regardless of gender, race, religion, ethnicity, disability and place of residence, in English or in French. We believe that a strong and effective publicly funded education system, responsive to the needs of our students, is the cornerstone of a democratic society.

Let me talk a bit about funding. With the late release of the general legislative grants this year, public school boards are only now having a clearer picture of the extent to which they will be underfunded. A modest estimate suggests that school boards will face a funding shortfall of \$175 million for the fiscal year 2001-02. The government estimates that the private school tax credit will cost their treasury at least \$350 million by the time it is fully implemented. These figures do not account for any further loss of students from the public education system to private schools. Our association believes that with the withdrawal of \$7,000 from the public system as each student leaves, the resulting tax credit to the parents of \$3,500 could actually end up netting the government money over time if a larger number of students vacates the public system. No other province pays parents to transfer their children to private schools.

In addition to the long-term implications of funding for public education, our member boards have serious concerns about their upcoming fiscal year. Funding has been curtailed drastically in the public education system. The \$200-million local priorities fund represents an increase of just 1.57% over last year's operating grants. This compares to a 3.2% increase in the consumer price index for Ontario. The \$70 million the government projects to spend on private schools this year would have covered the cuts in school board grants announced on May 11. Specifically, this includes the \$23 million cut from transportation and the \$40 million cut from school

heating budgets. These cuts come at a time when fuel costs are skyrocketing and school bus operators are facing bankruptcy. The dollars this government is spending to provide this private school tax credit are desperately needed within the public system.

OPSBA strongly believes that all government spending on education should be directed to the publicly funded system of education in this province.

Over the course of the last few years, many people have been saddened by what is viewed as a massive shift in the direction of political ideology. This government has fundamentally reshaped the education system within our province. Our association believes, and the judiciary has confirmed, that much of this reform has been anti-democratic. The announcement in the provincial budget of a tax credit for private education was done without any previous consultation, research or fact-gathering.

A brief history of legislation over the last few years: in the Bill 104 case, Justice Archie Campbell stated, "This power is constitutionally suspect because it confers upon the government the unprotected authority to pull itself up by its own legal bootstraps and override arbitrarily, with no further advice from the Legislative Assembly, and no right to be heard by those who may be adversely affected by the change, the very legislative instrument from which the government derives its original authority."

Bill 160 accorded the government more extreme regulatory powers, to which OPSBA objected. However, with Bill 74, the Education Accountability Act, we saw those same powers over school boards increased rather than reduced. Bill 46, which was introduced in conjunction with the provincial budget, further extends the power of the government and penalizes boards for non-compliance.

Bill 45 includes a stunning reversal in government policy that was announced without any previous consultation. The tax credit-voucher scheme contained in this budget will continue the course this government has followed of systematically dismantling public education.

During the last election campaign, the Premier made promises to the citizens of Ontario that his government was committed to a strong public education system. The citizens took him at his word. When the United Nations declared Ontario's funding for education discriminatory, the Premier and the Minister of Education reaffirmed the province's commitment to supporting a strong publicly funded education system for all of Ontario's students and their families. At the time, the government stated, and again I quote, "Extending funding to private religious schools would result in fragmentation of the education system in Ontario and would undermine the goal of universal access to education."

For almost two centuries, education in Canada has reflected the progress of a free and evolving society. Ontario's system of universal education has developed during this period and has been used as an instrument of public policy in the pursuit of democratic and humanitarian goals.

OPSBA recommends that the provincial government extend public hearings on this legislation to all regions of the province. We further recommend that the government delay passage of this legislation and bring it forward, if necessary, in the next sitting of the Legislature. We also recommend that the passage of this legislation be delayed until the government consults more fully with the citizens of this province on this important issue.

We also continually hear about competitiveness. We hear that a strong, well-funded public education system is critical to ensuring that we remain competitive in our global economy. Business leaders know and continually repeat that the success of their companies depends on a highly skilled workforce.

Much research exists to prove the cause and effect between a well-funded and efficient system of public education and economic success. Stephane Garelli of the World Competitiveness Project states, "The most convincing support for the argument that there is competition among nations can be seen in the areas of education and know-how. In a modern economy, nations do not rely on products and services; they also compete in brains."

OPSBA believes that the most effective way to ensure that all students succeed is to provide for them a well-funded public education system. Segregation along class and religious lines will not achieve a strong workforce for future generations.

OPSBA recommends that the provincial government conduct further research into the potential impact of removing dollars from the public education system in favour of funding private schools, and that that research be made publicly available.

Finally, accountability: public school boards are accountable in many ways, to many people. Trustees are democratically elected and must answer to their constituents for the decisions they make. They must ensure the provincial curriculum is delivered in the schools within their board. They must balance their budgets or be held personally responsible. The threat of ministry takeover, personal fines, and the potential restriction to even seek public office again looms over every board table. This government, unlike any other, has established unparalleled control mechanisms against democratically elected trustees.

Private schools, however, do not share the same accountability measures. They can teach what they like in elementary schools. There are no sanctions against their financial operations or their governance structures. The Ministry of Education has no control over their curriculum, management functions, hiring practices or outcomes. Private schools are also exempt from provincial testing.

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School boards, on the other hand, are required to hire certified teachers. Certified teachers will be required to pass licensing exams and take 14 courses every five years to maintain their certification. Only certified teachers are subject to discipline under the College of Teachers and can lose their licence to teach in the province for serious

misconduct. Private schools are not required to hire certified teachers. In fact, only about 2,000 teachers at Ontario's more than 700 private schools are members of the College of Teachers. That's less than three certified teachers per private school—not a very good record.

Taxpayers pay for our system of public education, and as the government has repeatedly stated, demand accountability for their dollars. With the introduction of a private school tax credit, the government has issued a double standard where it uses public dollars to pay for a private system without demanding any accountability from these private schools.

This particular form of a disguised voucher system is most appalling. The issuing of a tax credit paid directly to parents and not to the school removes any such accountability. Financial incentives to parents to remove their children from the public system does not bring the accountability demanded by the voting public.

OPSBA recommends that the government eliminate its double standard on accountability by eliminating their proposed tax credit-voucher scheme.

In conclusion, on behalf of the Ontario Public School Boards' Association, I would like to thank you for the opportunity to present our views. There is much at stake with this legislation. We feel strongly that Bill 45, if passed, will negatively impact future generations. We must ensure that all children have the opportunity to learn together, that all races and languages and income levels reap the benefits a well-funded public education affords our society.

We would also respectfully request that the dialogue continue. We call on the government to reach out and speak to all sectors of society on this issue. It impacts us all. Everyone who would like to, should be heard. Please extend the timelines to allow that to happen.

Thank you, and we would be pleased to entertain questions.

The Chair: Thank you very much. We have two minutes per caucus, and I'll start with the official opposition.

Mr McGuinty: Thank you very much for your presentation. It's good to see you again.

A couple of things. First of all, you expressed the frustration that my caucus and I have been expressing for some time, and that is, what's the rush? What we're talking about here is a provision that would enable parents in April 2003 to file an income tax return at that time, claiming a tax credit, and that's how much time we have to examine this in some detail.

The second thing I'd like to put to you—I'm wondering if you might offer us any insights or you may even want to surmise—why is it that we've had appear before this committee a number of earnest and sincere representatives from denominational schools, but we have yet to hear from somebody representing for-profit private schools or secular schools at large, and yet they make up half of the so-called private schools in Ontario and they stand to gain, much more so than the denominational

schools, when it comes to the breakdown of the tax credit? Why is it we're not hearing from those people?

Ms Sandals: I think there are perhaps more than just the secular schools that you're not hearing from. I know that in my own community of Guelph the press has talked to the two largest private Christian schools, and one private Christian school is in favour of the tax credit and the other is opposed. So I would suggest to you that it isn't only some of the secular schools that are opposed to the tax credit; some of the religious private schools are as well.

However, I think it goes in part to the issue of accountability, that in many cases the reason private schools are private schools is because they don't wish to follow the controls that are put on the public sector. They are looking down the road and presuming that even if this bill doesn't impose accountability, eventually the public will demand accountability of private schools. I think we've seen with some of the polling that 87% of the public is demanding that if there is a tax credit for private schools, then private schools should have to follow the same rules. Quite frankly I think there are a lot of private schools out there that don't want to follow the rules.

I think you will also find that a number of the higher-end private schools have waiting lists. They have competitions to get in. They certainly don't want to take all comers, as the public system does, and might be concerned about the exclusive nature of some of the schools if they were to have public rules imposed on them. So I think there are a variety of reasons why a number of the private schools are not supporting this incentive.

The Chair: Thank you very much. Mr Marchese.

Mr Marchese: Thank you and I thank the association for their presentation. A number of the deputants from the religious schools say there shouldn't be a loss to the public system by this initiative, and many of them also argue that if it were to be the case, they certainly wouldn't agree with it. The government denies, the minister denies, the Premier denies ever having said that if they ever funded religious schools, there would be a loss of \$300 million—that was Minister Ecker. The Premier doesn't make mention any longer of the fact that there would be a \$500 million loss. When you mention it to Monsieur Flaherty, he just goes into another orbit. He doesn't ever address that, as if it was never really said. So someone is not telling the truth, I suspect, with respect to at least moving away from what they believed then.

In terms of the fragmentation that I believe there will be, the Premier used to believe it but now they don't argue that, they argue choice. You don't have Monsieur Harris saying it would fragment society. They're saying, like all the other folks over there are saying, "What's wrong with choice?" In fact they use language that suggests it should be inclusionary and that we should be tolerant.

Mr O'Toole says, "One size fits all shouldn't be the norm." The funding formula is OK for one size fits all, but in this instance he turns it around and says that one size fits all shouldn't be the norm, but that people should

have a choice to take their kids wherever they want. What do you say to all that?

Ms Sandals: Oh, all sorts of issues. I think the first issue you raised around the flip-flop on the issue is part of the reason the public is so tremendously upset. It was perfectly clear to the public that the government was not going in the direction of private school funding and now they've done a tremendous flip-flop.

In terms of the whole issue of choice, if you look carefully at what went on in public schools when public school boards actually had the ability to raise taxes, I think you would find that public schools tended to have more alternative schools and to provide more choice for their students, when they had a tax base, because they recognized that one style of learning wasn't necessarily right for every student. Where there were sufficient students who wanted an alternative form, they provided that. What has unfortunately been happening is that the choice within public school boards has been restricted—its funding has been restricted—and I know that in my own board we have closed the program we had that was an alternative school because we couldn't afford to run it any more.

I think what we've got going on here is a bit of double-speak, in that if you remove the ability of the public boards to fund alternative schools and then say, "Gee, there's no choice, we're going to have to fund private schools so there's more choice," we've got a little bit of circular thinking going on here.

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The Chair: Thank you very much. Mr O'Toole.

Mr O'Toole: Thank you very much, Ms Sandals, and Rick is a person I've met with before. It's good to see you again.

It is an important debate and I take it you represent the views of all the public school boards in the province, and the position you've presented us reflects that.

Ms Sandals: Yes.

Mr O'Toole: It's important to get us all on the record as to what we actually stand for. I think that's important and I hope you agree.

I've been listening to Mr McGuinty over the last while on this issue and I've got all four of his positions: for, against, maybe and no. I'm not sure which one is actually right. Members of his caucus have a couple of different positions on this. I think they recognize it. In fact, he said, "I'm not ideologically opposed to considering it," and a few other ambiguous statements.

I'm very clear and supportive of where Mr Marchese and his caucus are coming from. They are clearly opposed. There is no ambiguity about it. At least they have a strong leader. They have a strongly articulated position and basically—

Mr McGuinty: Are you working on a vote split or what?

Interjections.

Mr O'Toole: They still probably have another position now. It sounds like they're having a little disagreement.

I suppose what I'm trying to get to in the form of a question—I like the tone; I really do respect it—is on the accountability part of it. There was a commission on education finance and there was the Fair Tax Commission. There have been commissions on this since I was a trustee in the early 1980s. Are you opposed to parent choice and on what grounds?

Ms Sandals: We're not opposed to parents having choices—

Mr O'Toole: As long as it's yours.

Ms Sandals:—but we would like to explore how we can make those choices available within the public system. What we are opposed to is public funding of private schools. I liken it to the health care system, perhaps, where just because I choose to have a private room in a hospital doesn't mean the government is required to pay for my private room in the hospital. The public, in a number of areas of government, provides public services. The fact that I choose not to use the public service doesn't necessarily obligate the government to pay for the private service.

The Chair: We've run out of time. On behalf of the committee, thank you very much for your presentation this afternoon.

TORONTO PARENT NETWORK

The Chair: Our next presentation is from the Toronto Parent Network. I would ask the presenter to come forward and state your name for the record. On behalf of the committee, welcome. You have 20 minutes.

Ms Cathy Dandy: My name is Cathy Dandy. I am with the Toronto Parent Network, which is a network of parents from across the Toronto District School Board. I would say we are networking into the thousands at this point, because parents are deeply concerned about what is happening in education today, especially in the Toronto board.

I have to confess I come today feeling a little bit angry. I know people aren't really comfortable with anger, but I'd like to maybe make you feel a bit better by saying I believe it's a righteous anger. I am a mother. I have three children. I've just rushed in from track practice. I have to rush home. I have to cook dinner and then I have to coach my daughter's soccer. I am deeply tired of having to come out and try and help parents have their voices heard with this government.

I listened to Mr Flaherty this morning in his opening address to this committee regarding Bill 45, and specifically the equity in education tax credit, and this is the portion of the bill I'm speaking to. I'll assume the reason he got many of his facts wrong was because he was relatively new to the job and not out of a desire to misrepresent his party or his government.

First of all, I'd like to take issue with his claim that he has heard from parents. I know the Minister of Education often makes that claim and she is speaking only of a very small hand-picked council, the Ontario Parent Council. I find it interesting that the parents Minister Flaherty spoke

about were those who would be getting the tax credit; he did not speak about thousands of parents in the public system who do not agree with this tax credit. I think he has not spoken to the thousands of hard-working immigrants who came to this country specifically for its rich, inclusive public education system, and he hasn't talked to the middle-class parents who want their children to learn together, to grow together and to go on to build a society together.

I would also like to take issue with his claim that the funding for public education has increased. He claims that in 1995 the government was spending \$12.9 billion, and that it has increased to \$13.8 billion. One of the biggest factors in that is that he is now paying for three large cities, and despite that he still managed to cut out \$2 billion.

I'd also like to take issue with the \$362 million he claims in additional funding for public education. That does not even cover the cost-of-living increase in this province, let alone the enrolment increase. So in actual fact, our education system has lost a great deal of money and continues to lose money. Parents in the city of Toronto are starting to feel that first-hand as we lose our mitigation money and work toward the funding formula.

He claimed that boards were overspending. But in actual fact, as the board moved to get on to the funding formula—and any board that has moved to get on to the funding formula anywhere else in this province, plus their board has cut all the spending they are required to cut, still sees deterioration in the classroom. Special ed is in appalling shape. Every group that has looked at special ed has said the funding is inadequate. ESL, adult education, music, physical education, library: the list goes on.

When the province is given the bill for things as fundamental as heating our schools, they turn us down. The board had a \$17-million excess in heating costs due to the increase in gas prices. The province only agreed to pay \$6 million of it, so we have to find \$11 million out of operating to pay for a bill the government should be paying for itself. Those are the kinds of funding problems.

Now I'll get to the part of Bill 45 I'm here for. This kind of change of funding in education is an enormous change that will have repercussions for decades. Why is this happening with no larger debate? We should examine the issue of funding for religious schools, both Catholic and other religious schools. If we agree, after that larger debate, that our society benefits from funding all types of schools, then we should debate how it should be accomplished. But none of that is happening. I think that is what I find most distressing.

Consistently, this government has denied us our democratic right to determine our own future and the future of our children. Why? Is it too time-consuming? Is it too difficult? Are these issues too contentious? Is it what I hear from some, that parents don't care to debate the issues, that we're not informed? I want to know why there is no broad public debate about something so critical.

The government moves ahead with this plan without public mandate to do so, or discussion. As we know, and as I'm sure we've heard repeatedly today and certainly in the press, Minister Ecker and Premier Harris stated emphatically that it was not their intention to do this and that it would destroy public education. This morning, when questioned on that, Minister Flaherty dodged it, refused to elaborate on this shift in government policy. I want to know what has prompted this shift. I want it to be clearly spelled out, and I don't want to hear it's about parental choice.

Is there good research? Where is the research? In 1985, the report of the Commission on Private Schools in Ontario by Bernard Shapiro, commissioner, was released. Has the government studied this report? Have any of you read it? It's filled with research about our "sister provinces," as Minister Flaherty referred to them, and countries that fund religious schools. Not one of these provinces or countries funds religious schools using tax credits.

In his press conference, Minister Flaherty said that tax credits were being used to encourage parental choice. I find that ironic when regular parents in the city of Toronto are now having to choose between whether to get rid of their music teacher to keep class sizes down or get rid of their librarians, because as we know from every other board in factual tracking reports, you cannot have both. You cannot have well-paid teachers and have teachers. You cannot have a music program and have a music teacher. You cannot have a full-time teacher-librarian in your school on this funding formula. Those are the choices this government has given parents, and we would like to be able to choose to have all those things. That's the choice we're looking for.

In the report, groups consistently call for per capita operational grants, which are common in other provinces and countries and usually have very clear strings attached: teacher certification, common curriculum—which is not required in this province before grade nine—testing and regulations around accessibility for all students.

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I'd also like to speak to the comment that was made about parents who choose to send their children to private religious schools, that they have to pay twice. Minister Flaherty said he was going to give them relief. Seventy-five per cent of Ontario taxpayers do not have children in the public education system. Should they have relief? Thousands of Ontario taxpayers do not use the medical system. Should they have relief? Thousands of us didn't vote for this Tory government. Should we get relief from paying your salaries?

We are a democracy which pools its resources for the public good. Parents may choose to send their children to religious schools, and I fully support their right to do so, but they are not further exempt from building a society by withdrawing their money. Public school children in Canada largely form the basis of business and government leaders, unlike the United States whose elite attend

private schools and then largely run their country. It is regular, common children going through a common public education system who grow up to build this society.

In Canada, we support this kind of goal to be a larger, richer, brighter country, and it is fostered in the public school education system because tolerance is built there. This thought about the Canadian public education system has been remarked on by the United Nations and many other international groups.

Minister Flaherty also spoke about per pupil funding and claimed that the public education system would not lose anything in this form of tax credit. In actual fact, I've spent a great deal of time—too much time—reading about the funding formula, understanding it and understanding the kind of impact it's having on our board, the Toronto board. The funding model is based on per pupil spending. For every child who leaves our system, \$7,000 will be taken away from our system. That's the financial part. The other part refers back to what I talked about in building a tolerant, pluralistic society. For every child who leaves the public system, that's one less person who learns to move and operate within a diverse and rich and really good public education system.

Parents want a large, complex debate about this issue. They want to listen to those in religious schools and public schools. They want to continue to build this tolerant, diverse country. Parents want public dollars to be spent on educating children for public life. They want to see their government value democratic principles and not push this tax credit through because it suits a private agenda.

Parents want their government to value public education and understand that it costs a lot of money to educate children. That doesn't always fit with an agenda that wants to see product for money spent, but it does fit with a well-built, thoughtful, productive society. Please stop this and let us discuss it. There is no rush. Let our children see that you do listen when the majority of citizens say, "Stop and let's debate it." This is a fundamental change, and we need to do this before it's too late.

I want to leave you with some questions which really refer back to everything I've said. Why is there no broad public debate? Why are these hearings narrow and staged, heavily weighted with support groups, even though the polls tell us the majority don't support it? Why are you using tax credits when no other province or country does this? This government couldn't possibly have good research on this, and if you do have research, why is your research not public? Why are you rushing this through and not listening? That is acting against the principles of democratic debate.

The Chair: We have two short minutes per caucus.

Mr Marchese: Ms Dandy, I congratulate you and your network of people who are devoted to the public system and congratulate you for all the countless hours you put in there as volunteers. You're not paid to do what you do, and it amazes me there are so many like you wanting to defend the system. So I will just say that.

This government puzzles me. You may have heard Mr Flaherty this morning when he said that he had heard a lot of people saying they want education in their culture and their religion. It was a complete surprise. This is the same government that got rid of the Anti-Racism Secretariat, got rid of all the welcome houses, got rid of all the ESL funding from citizenship, and all of a sudden they have come with this new-found—I won't say religion, but they now want to serve these other multicultural communities in their own religion and culture. It's just a wonderful revelation to see and to witness; and then to hear Mr O'Toole talk about, "One size fits all is a wrong approach to education"—he said that earlier—and that we should have a system that encompasses the diversity we've got. In fact, different people today were using language such as, "We should be more tolerant and inclusive, and multiculturalism should actually be reflected through this kind of funding."

I think it's the wrong way to go, that multiculturalism doesn't include that we go that route of fragmenting society in the way Harris talked about, that the right way to do it is within an inclusive system that reflects all of our cultures and do what the Toronto board did by having heritage languages, which are disappearing now because there's no money. I'm sure you share that view. Isn't that the view you and the others have been defending?

Ms Dandy: Absolutely. I talk to parents across the city daily and I talk to many parents from many different cultures. There has been a sort of testy, ironic laugh at the fact that this government is the one defending diversity at this point.

Before 1995 this board and this province were known throughout the world and were remarked upon, like I said, by the United Nations and other international groups for their ability to take such a diverse society, to foster diversity yet also to foster tolerance and broad-mindedness and the ability to work together. In fact, our social studies curriculum was purchased by several European countries for that very fact. So to say that we now should offer up choice in the form of segmenting people off into their different groups in a public way seems to run directly against the evidence.

The Chair: Thank you very much. Mr Hardeman.

Mr Hardeman: Thank you very much for the presentation. I'm wondering, in the first part of the presentation prior to yours—I believe you were present when it was made—it says, "We believe that a strong and effective publicly funded education system, responsive to the needs of our students, is the cornerstone of a democratic society." Is it unreasonable to make an assumption that parental choice for something different than what's presently being provided in one system is student choice and parental choice for quality of education? Having said that, if this one system is what everyone wants, even though they're still going to have to pay at least 50% of the tuition—in some cases more than 50%—why is it we have this concern that parents would move their children out of the system that's presently there?

My children have all gone through the public education system; one is still in the system. The presentations we had this morning seemed quite emphatic that they had reasons other than the ones you spoke of as to why they wanted to be in an independent school, because there was something in that education that their parents wanted for them. One person talked about how their grandmother was willing to pay the tuition to allow him to go to an independent school. Is it unreasonable to assume that's part of the parental choice and fairness in education that we owe all the children of this province?

Ms Dandy: I think there are two points there. As far as their willingness to choose something that matches their own beliefs, I fully support that. I used to belong to a particular religion which did not involve my taking any medicine. I did not choose to go to doctors, which flummoxed some people, but that was my choice. But I never expected to withdraw my funding from the public sector, and I never expected the public sector to fund my choice. It was my choice, based on deep religious convictions, and I completely understand that kind of conviction. But I also know there are two things we still need in this. One is that we need to make sure this government puts back the money it has withdrawn from the system, which has caused choice to crumble within the public system. Things like the heritage language programs are threatened. Adult education is in atrocious shape—and that is a form of choice, the choice to better oneself. There are all sorts of choices that are being withdrawn because of lack of funding, and funding is critical to choice. Funding in the public education system has been drastically reduced, so choice is being reduced.

1700

The Chair: Thank you very much.

Ms Dandy: Sorry, I have to say one other thing. The other thing is, we want a debate. I'm not saying any of this is wrong, but we want a debate before this happens.

The Chair: Thank you. The official opposition. Mr Phillips.

Mr Phillips: Thank you for your articulate presentation. I've been trying to determine what caused the change in government direction. The staff just handed out to us a few minutes ago the Ontario government's arguments used when they were against extending funding. For anyone who's interested, in the one dated February 22, 1999, on pages 2 and 3, there is some very strong language why Ontario was strongly opposed to this. Everyone should read it. I won't take the time to read it right now, but I urge your parents' network to read it, because, as I say, there's some strong language.

Have you or your group any idea of what caused the government, in a period of just months almost, to go from arguing strenuously against it to now including it in the budget, kind of out of the blue?

Ms Dandy: I honestly don't know. I can only speculate. Much of what drives this government seems to be financial. There have been rumours—and I believe even Mike Harris might have said it—that in actual fact it could save the government some money if they take this

course. They will not have to spend as much on public education. They will save by spending only half of it for each child who moves into the private system. I don't honestly know.

What I do know is that they're not talking to us, they're not having a debate and they're rushing it through. We can't possibly find out the answer to that or any other question that parents around the province have, while they drive forward this fast and this hard and this unmandated.

The Chair: We've run out of time. On behalf of the committee, thank you for your presentation.

RIVERDALE PARENT COUNCIL

The Chair: The next presentation is from the Riverdale Parent Council. I would ask the presenter to come forward and state your name for the record. On behalf of the committee, welcome. You have 20 minutes for your presentation.

Ms Norah McClintock: Thank you. I have to apologize if I misstep in any way, because I have never, ever presented to a committee of this type before. It's never even occurred to me to want to present to a committee of this type before. So, if there's one thing I think this government can take credit for, it's turning a person who was just content to cast her ballot every couple of years into someone who is rather determined to make her voice known on an issue that matters greatly to me, and that is the education of our children.

I am a member of the parent council at Riverdale Collegiate Institute in Toronto, which is located at Jones and Gerrard Avenues. I'm also the parent of two children, one attending a public high school and one in university. I have concerns about Bill 45, which would provide tax credits to parents who choose to send their children to private and independent schools.

My first concern relates to tolerance. The student population at Riverdale Collegiate is a diverse one. Students come from a wide variety of religious, cultural and economic backgrounds. I'm really proud of this school, where my daughter is in grade 10, and part of that pride stems from the fact that so many children from so many backgrounds with so many belief systems go to school together every day. Because they sit in the same classrooms, lunch in the same cafeteria, use the same library and, one hopes, in the near future will participate in the same clubs and play on the same sports teams, they learn about each other's cultures, values and beliefs. I have seen this in my own home.

To my mind, this type of direct learning through direct contact is every bit as valuable as curriculum-based learning and does a great deal to turn our children into citizens of an increasingly multicultural Ontario. It is critically important for our children to become tolerant and understanding young men and women. By learning acceptance of people from differing backgrounds with differing values, beliefs and abilities, our children can

take a giant step toward becoming the kind of Ontarians we can all be proud of.

Although we live in the 21st century now, still when we look around the world we see civil wars and strife that are rooted in ethnic, religious and economic differences. We see societies increasingly divided along these lines, and it seems to me that one of the factors that will allow us to overcome such strife is to teach our children that being different is not a matter of right or wrong and that differences between people, whether they be faith-based, values-based, nation-based, race-based or gender-based, are to be respected.

I fully support everyone's right to his or her own beliefs. I also fully support everyone's right to impart those beliefs to their children. But I also believe that as citizens of a democratic country we share common values and that the best way to convey these common values is through a high-quality, publicly funded, commonly accessible education system. Yes, personal and religious beliefs and values are important, but there are ways to impart these values through our families, through our places of worship and through other institutions. It does not have to happen by fragmenting our school system and undermining public education.

The members of my immediate family come from different backgrounds and religious upbringing. I was raised a Christian, and my husband was raised a Jew. My children have benefited by learning and understanding the background of both branches of their family. This learning and understanding has gone beyond our household and into the community, as my children have attended public schools that welcome children from richly diverse backgrounds. My children have learned that just as we all would want and expect our beliefs and values to be respected, so we should respect the beliefs and values of others. I think this will become increasingly difficult if we divide our schools and our students according to those beliefs and values.

My second concern relates to the goal this government has purported to be advancing, and that is the need to provide our children with the best education possible to prepare them for their future. As a parent of a child in grade 10, I have been greatly concerned, over the past few years, at the declining resources this government has allocated to our public education system. On February 28 of this year, our parent council at Riverdale Collegiate held a forum on the state of our high schools. We made numerous requests to the Minister of Education for a representative of her ministry to come and speak to parents and answer their questions, but to no avail.

Among the concerns that were raised by the parents who attended our forum were those relating to the declining government commitment to excellence in public secondary school education. In particular, parents expressed profound concern that inequities in public education are deepening. For many, particularly at my school, it has become a case of economic discrimination. Budget cutbacks that force schools to rely increasingly on parents to fill the gaps leave disadvantaged students farther behind.

The government's funding formula does not recognize the real differences and the needs and costs of educating our children. The needs and costs in Thunder Bay are not the same as those in Toronto, and they are not the same in Regent Park as they are in Rosedale.

A weekend article in the *Toronto Star* on poverty in the greater Toronto area makes it clear that some neighbourhoods, primarily in the 416 area code, face major economic challenges. Do we want children in these areas to break out of that poverty trap? Doesn't this government espouse education and training as the keys to economic independence? If so, then real differences need to be recognized and appropriate steps taken to give all children the best chance to succeed. Simply put, equal opportunity for all means that some require more support than others. Despite what this government seems to believe, that costs money. Personally, I cannot think of a better investment for a government to make than one in the future of our children.

1710

At our parent forum, concerns were also expressed about the implementation of the new curriculum. My child in grade 10 is a guinea pig throughout her high school years. It was noted that there have been severe cutbacks in curriculum supports for teachers, further adding to their individual workload. Due to budget cutbacks, there are fewer curriculum consultants at the school board level. Due to budget cutbacks, plans are well underway to cut the number of department heads and assistant heads, those teachers expert in their subjects who are responsible for ensuring that all teachers within a school have the support and guidance they need to implement the new curriculum.

Surely, with so many changes being so swiftly introduced, these funding envelopes should be increased, not decreased, to ensure that our children are getting the best our teachers can offer. When a business is implementing new, challenging systems that require its employees to work in different ways, it allocates more, not fewer, resources to training. Why doesn't this same logic apply in our schools?

What do these concerns have to do with the proposed tax credit for parents who choose to send their children to private, independent schools? As I understand it, tax credits represent forgone revenue for the government. They represent dollars the government would have spent itself. Naturally, I can only assume that the money the government is now planning to spend in the form of tax credits would have been spent on public education, although it is conceivable that the government is planning to make up for this revenue by cutting in other areas—health care, for example, or perhaps home care for our frail elderly.

By giving up revenue that would otherwise have gone into public education, the government is further eroding what it has always said it stands for: a public education system of the highest quality that will make Ontario children among the best educated in our country. By proposing to implement these tax credits, the government

is contributing to an alarming and increasingly widespread feeling that quality education means private education. It seems to forget, or perhaps it chooses to ignore, that private education is and always will remain out of the reach of a large proportion of parents and children, even with tax credits. An emphasis on private education will only undermine and ultimately lead to the demise of high-quality universal education freely accessible to all, surely a basic right of citizens in a democratic society.

I would have thought that the last thing anyone, including the Premier, the Minister of Education and the Minister of Finance, would want is for parents to abandon what this government has always claimed to be striving for: the best possible education for each and every child in this province, no matter what their socio-economic or cultural situation. Yet removing resources from the public education system while at the same time providing incentives for parents to send their children to privately run schools, which are not subject to government regulation, whose teachers are not required to undergo the same testing as their public school counterparts and which are not accountable in any way to the taxpayers of Ontario, is the surest recipe for decline in quality of public education in this province and a decline in tolerance in our society.

Why is this government not instead making good on its commitment to ensure that Ontario's students have the best education that an advanced and enlightened country like Canada can offer? Why does it not consider increased investment in public education the best investment that we as a society can make? Why is it instead allowing our schools to decay, our playgrounds to get dirtier and more dangerous, our teachers to become more and more demoralized, and our new curriculum to be implemented with fewer supports?

I believe that Premier Harris and Education Minister Ecker were right when only 18 months ago they stated their firm opposition to government funding for private schools on the basis that such funding would fragment and weaken public education and cost the government of Ontario between \$300 million and \$700 million in revenue lost to the public school system. I cannot think why they have reversed themselves on this position, nor can I think why a government that prides itself on being immune to pressure by lobby groups and special-interest groups has succumbed on this issue and then has done its best to limit any public discussion on the matter or even to commit itself to acting according to the wishes of the majority of parents and taxpayers.

I am here today to voice my opposition to Bill 45 on the grounds that it will lead to further reductions to funding in our public education system, further erosion of confidence in the public education system and a growth of intolerance among our children. I urge this government not to go through with this measure and to invest the necessary resources into the public education system, and I would say to the Minister of Finance, who has stated that parents in Ontario want more choice, that this

parent chooses public education. If this government truly wants to find out what most parents want, it will not implement this measure without first having the courage to put it to a democratic vote in the next general election. Thank you.

The Chair: Thank you very much. We have about a minute and a half per caucus.

Mr O'Toole: Thank you, Ms McClintock, for a very real and sincere presentation. I appreciate that. I speak as well as a parent of five children.

You spoke in quite a tolerant tone—encouraged the increasingly multicultural society we live in. Certainly it would be different than it was 10 years ago or 20 years ago. There's a lot of history. In 1982, when then-Premier Bill Davis introduced this—I could show the research document I have. The Shapiro commission came out of that debate, which was about a multi-faith, cultural thing. I think the reality is, the majority of language in Toronto probably—I've heard people say that in less than a decade it won't be English.

The Chair: Question, please, Mr O'Toole.

Mr O'Toole: I guess it comes down to, the current system you would presume is the only choice parents really have. The current system, to some, is failing. It's failing for a lot of reasons. I suspect it's a power struggle. Perhaps we'll hear from Mr Manners later, who will be presenting.

My question to you is—I won't use the term "choice," but where do parents like you and I get to have some input? They are our children. It isn't about maintaining someone else's job or blah, blah, blah. Where do we get—you sound very intelligent, very frustrated.

Ms McClintock: You tell me where we get input. I am a parent, and I am a parent who has very strong opinions. I sit on the parent council of my school because I have been motivated to get involved by the rapid changes and the changes in funding included in the public school system. I have tried on many occasions to make my voice known, and do you know what? Nobody listens. This government doesn't listen. I'm sure Minister Ecker can show you a sheaf of letters from me expressing my concern, inviting her to come and explain, answer questions and so on. I will be darned if I know what the average parent can do to make his or her voice heard.

That's why I'm particularly glad to be here today, because I am not a member of an interest group. I am not a teacher. I am not a school board person. I don't belong to any organization at all except a very small grassroots organization, which is my parent council at my local school.

The Chair: Thank you very much. The official opposition.

Mr Kennedy: I appreciate your testimony here today. I just want to draw attention to something my colleague Mr Phillips brought up, the state party's response. This is Ontario's official document saying why a year and some ago it was a bad idea to fund private schools. I just want to quote you one part of it. On page 3 it says, "Doing so would have negative fiscal impacts and a marked in-

crease in duplication of services and capital costs and a concurrent diminishment in the range of programs and services that the public system would be able to afford."

We've heard a lot here about parent choice. How much parent choice do you estimate there will be if there's a dramatic drop-off in resources, the way this government of Ontario said there would be a year and a half ago?

Ms McClintock: There's already decreased parent choice, to my mind. Obviously if there are less resources available, I would expect there would be a further decline. I do know that music teachers, for example, are being cut in a lot of schools, and I find this really distressing. It's as if culture is not important. That is an expendable part of our curriculum now, whereas resumé writing, I guess, is really important for your average grade 10 student. We spend a year teaching our kids how to do that.

I've never had any input in this; neither have any parents I know. We're all very upset about this, and yet there is no mechanism; there is no consultation. It's very distressing, on something that's even more important to a lot of parents, that there is this limited consultation and really no mechanism, which is why I would suggest to this government that if it really wants to know what parents think, it get out there and ask them and then put these issues to a vote and let's find out what parents think.

The Chair: With that, we've run out of time. On behalf of the committee, thank you very much for your presentation this afternoon.

1720

CANADIAN COUNCIL OF MONTESSORI ADMINISTRATORS

The Chair: Our next presentation is from the Canadian Council of Montessori Administrators. I would ask the presenter or presenters to come forward. On behalf of the committee, welcome. You have 20 minutes for your presentation this afternoon.

Ms Breffni MacMahon: Good afternoon. I would like to start by thanking you for offering me the opportunity to be here today. I come to you to talk about Montessori schools and the Montessori philosophy of education, which is an alternative system of education to the traditional system, traditional whether you talk about private or public. Montessori is an alternative system. It's a system which reflects a child's developmental stages in learning and recognizes that children learn best within a social environment which supports the individual needs of each child.

Montessori education has been available in Ontario for the past 40 years. There are 105 Montessori schools currently listed as private schools with the Ministry of Education. They are to be found all over the province. They're in Sudbury, Windsor, Niagara, Ottawa and all the places in between. They cater to children from three years of age to 14 years of age. That would be through to

grade 8. The first Montessori high school was licensed by the Ministry of Education this year. The schools range in enrolment size from 150 students to 750 students.

Montessori classrooms are multi-aged. They allow the children to progress at their own pace. The classrooms are equipped with a full range of carefully designed materials which support a child's stage of development and specific learning strengths. Lessons are given individually or to small groups of children. Co-operative learning is encouraged through peer teaching and social interaction. Individual differences are valued and offer an opportunity for everybody to grow because of this diversity.

At this point in time, Montessori education is not available in public schools in Ontario for those parents who specifically want that program for their children. Montessori schools and parents of children who enrol their children in these schools are very excited about the government's proposal to offer tax credits to private schools.

Typically, fees at a Montessori school are in the \$8,000 bracket. Parents who enrol their children are middle-class families who have chosen Montessori because they believe it best suits their child's learning style. Their choice is based on the reality that not every child will learn in a traditional environment, whether that's private or public.

Montessori schools are not based on a religious belief or tradition. Therefore, they do not belong to any of the major religious groups who have been seeking financial support and from whom we've heard quite vociferously over the last few weeks. Montessori schools accept applications from students of many abilities and cultural backgrounds. The main criterion for acceptance to a school is based on commitment to the philosophical difference in approach between Montessori and traditional learning.

The Canadian Council of Montessori Administrators, which I represent, represents 86 Montessori schools. It is in its 25th year and it was established to promote authentic Montessori programs. Members are accountable to CCMA for ensuring that qualifying programs meet the standards and criteria established by the council. There is a very stringent post-graduate teacher training program which is required. Schools must employ teachers who have the relevant qualifications from an accredited Montessori college to teach at the age level where they're working.

The Montessori curriculum is comprehensive and based on an integrated approach to learning. Clear curriculum guidelines and outcomes are an expectation in a Montessori classroom.

The CCMA has an evaluation and accreditation process which members complete every five years to ensure they are meeting the highest possible standards of authentic Montessori education.

The CCMA would like to offer this package of teacher training, curriculum and school evaluation as an alternative to what is currently available in public schools in Ontario. This alternative approach to learning is import-

ant for those children who have different styles and needs and for parents who want an alternative school environment and philosophy for their children.

The council would welcome the opportunity at some other time to discuss the possibility of offering Montessori education in public schools, but for now that's not a reality. For now, the availability of tax credits will offer support to parents who juggle priorities in their lives in order to finance their children's education in a Montessori school.

The Chair: Thank you very much. We have five minutes per caucus, and I'll start with the official opposition.

Mr Kennedy: I appreciate your coming forward today. I just want to ask you a little bit about a couple of things you've raised.

One is the whole Montessori method, Maria Montessori. I think most people, even not versed, would know it's child-centred and there's a range of things that go with it. In fact, I have to declare that my daughter is in a preschool Montessori program in a public school, une école publique Montessori. Part of the question I want to ask you is, why isn't there more Montessori in the public system today? What would be the barriers to having that level of diversity available and offered within the public school system?

Ms MacMahon: I think the Montessori community at large has been consolidating its own work here. We're certainly ready to have discussions—we would welcome discussions—with the Minister of Education. We feel that with a huge emphasis on the importance of the early years in education, Montessori is a perfect format for helping children to learn in those early years.

Mr Kennedy: So there are no real barriers to that?

Ms MacMahon: No.

Mr Kennedy: In terms of your outlook—and it is a particular outlook and there are a lot of different practitioners out there, I think you'd agree. Some of them I think are private operators. Is that right? Some of them own, some of them are non-profit, some of them are in schools.

Ms MacMahon: There's a whole range. There are private, there are parent-run, not-for-profit, board schools, yes.

Mr Kennedy: So to the degree you can be definitive about this, how would the general Montessori outlook regard, for example, the current curriculum in school and the current testing of kids at grade 3 and grade 6? How would that be regarded from the Montessori perspective?

Ms MacMahon: The Montessori curriculum is totally different from the traditional curriculum in private or public school. It's an alternative system. The approach to learning—it's comparing apples and oranges, and it doesn't matter whether you're in the highest-fee-paying traditional school or in your local public school. The differences are striking.

Mr Kennedy: The philosophical part about the tests, though, having system-wide tests and children who sit for a week doing tests distant and separate from their

teachers and so on—does Montessori consider that a beneficial experience or not?

Ms MacMahon: Montessori schools typically don't do tests, but that's not to say that the children are not prepared to take tests. They're all trained in test-taking skills. They prepare for tests typically around the grade 5 level. Many of them would be leaving to go into other independent schools and would be expected to be ready to take tests at that point in time anyway. The difficulty with the grade 3 test is that the curriculum for the grade 3 test is very different from the Montessori lower elementary curriculum, which is a multi-age class. It's a grade 1 to 3 class. It's a cyclical form of learning rather than a graded one from 1 to 3. Therefore, to prepare children for the grade 3 test in a Montessori school would mean cutting into the Montessori curriculum.

Mr Kennedy: When you look at the different styles and so on at Montessori and what's happening today, I guess it's hard to say what is truly authentic Montessori in the sense that you've got principles and there are different applications of them. But how adaptable would that be in terms of general—I mean, there are schools out there that say they borrow from Montessori, and a lot of early childhood people have a great deal of respect for it. What historically would be the reason that hasn't been adapted more by schools in the public system to date, in terms of your knowledge of it?

Ms MacMahon: I think there's a tremendous amount of Montessori, particularly in early childhood education. All the furniture and the layout in schools all over the world come from the Montessori idea that furniture should be child-sized and something which children can manage. All the educational toys that we have available to our children now started with some of that early material.

Mr Kennedy: Sorry to interrupt, but a very quick question, mindful that the time's running out. In the private situation that the Montessori schools are in today—and again, this may vary—what kind of tax consideration can parents achieve for school-age children? What, if anything, can be claimed as a charitable receipt? Anything at all?

Ms MacMahon: For school-age children? Only the daycare side of their time in school.

Mr Kennedy: Right. So the after-school and the before-school time and so on.

Ms MacMahon: Yes.

1730

Mr Kennedy: The government has not put forward any studies or anything, but the apparent way this tax credit works is that it's more beneficial to private sector schools than it is, for example, to religious schools simply because there are tax credits available on that side. But, as you're saying, there isn't really any substantive credit available to—

Ms MacMahon: There are no tax credits over the age of six except for whatever charges are made for the child care side of a child's day.

The Chair: With that, you've run out of time, Mr Kennedy. Thank you very much. Mr Marchese.

Mr Marchese: Thank you for your presentation. With respect to class sizes, is there an average? Does it vary from school to school? Are they generally lower in your Montessori schools than the regular public system? If so, why?

Ms MacMahon: Montessori classrooms are typically large classrooms because there's a three-year age group in each classroom at each level. Grades 1 to 3 children are in the same classroom, grades 4 to 6 children are in the same classroom, and classes tend to go to about 24 children because you want a reasonable mix of children at each age level. At the kindergarten level, there would be two adults with those children. At the elementary level, there would generally be a class teacher and then there would be specialist teachers who also work with them. But a typical class size is about 24.

Mr Marchese: Obviously, you don't consider that complicated in terms of the groupings. The three age levels, in my humble view, is a bit tough.

Ms MacMahon: No, it's beautiful, because it's family grouping. Children get an opportunity to learn from those who are older than they are. The older ones get an opportunity to teach the younger ones and to role-model for them. Children get a chance to move at their own pace, so those who are ready to accelerate can do that comfortably and those who need extra time can also have that time.

Mr Marchese: OK. What about children with disabilities? Do you have a lot of children with disabilities in Montessori?

Ms MacMahon: Every school has its share of children who have learning differences.

Mr Marchese: Not learning differences but—

Ms MacMahon: Well, maybe it's a difference in terminology, but these would be children who have a special learning style or a special learning need. Because the program is heavily based in learning through the use of materials, learning one-on-one and learning at your own pace, the classes can accommodate children who learn in a different way or have different needs.

Mr Marchese: My understanding is that many schools of course teach in different ways because most teachers understand that children learn differently, so they do apply those teaching skills. It may not work all the time, having a class of many, where there might be some difficulties of poverty or ESL or refugee issues or drug and alcohol abuse or whatever—it might be complicated—but they do, obviously, recognize the different styles and approach it that way. I'm assuming you accept that.

Ms MacMahon: Yes, but the difference in a Montessori classroom would be that nobody has to get to a certain stage by the end of June in a year. You get to the stage you can reach within your time frame and not within a specific academic year. You have three years to complete. For children who don't make it in that time and where there is a professional assessment indicating that

there may be developmental delay or a serious disability, the program can be modified.

Mr Marchese: How would that square with some of the requirements of the government in terms of the structures and rigour and of course testing, and how teachers must meet those demands and those expectations, otherwise they're going to send—who knows?—SWAT teams or who knows what to fix those problems? What would you do?

Mr O'Toole: Turnaround teams.

Mr Marchese: But then too they're going to set goals, right? They are going to set goals to deal with it. How would you deal with that?

Ms MacMahon: We have a very rigorous curriculum, but children will only go as fast as they can go. You can't tell a child when to cut its teeth and you can't tell it—

Mr Marchese: Harris is not going to like that. You've got to know that.

Ms MacMahon: Well, I would hope that when it comes to the point where criteria for eligibility are being established, the Montessori teacher training program, the Montessori curriculum and the Montessori evaluation and accreditation process would be considered as an alternative. It's a very valid, international, long-standing method.

Mr Marchese: Don't get me wrong. I—

The Chair: Mr Marchese, you've run out of time. Mr Spina.

Mr Spina: Thank you, Ms MacMahon, for the presentation. I was looking forward to hearing the perspective of the Montessori schools.

I have a couple of questions, some to do with finance and others to do with curriculum, not unlike our friends across the way here.

Mr Marchese: Which friends?

Mr Spina: I thought you were my colleague, I'm sorry.

Would you consider Mr Kennedy, perhaps, someone from the middle class?

Ms MacMahon: I can't answer that one, I'm sorry. I'm glad to know he has a tie with a Montessori school.

Mr Spina: I think most people would consider not just Mr Kennedy, but most MPPs, within a middle-class level in terms of the income in their families that they earn. You indicated it's about \$8,000 for a child, and that's obviously at the elementary level. I'm presuming that would be above the daycare level that some of these children are in?

Ms MacMahon: For preschool, yes.

Mr Spina: That would be for more or less grade 1 and on?

Ms MacMahon: Yes, that's an average.

Mr Spina: I thought maybe your last statement was a little understated, and maybe I could ask if you did that deliberately or if in fact you wanted to expand on that, where you said that the tax credits would offer support to parents who juggle priorities in order to finance their children's education? Is it not in fact in many cases an

outright sacrifice to be able to send their children to a Montessori school, at a cost of \$8,000 a year?

Ms MacMahon: Yes, I think it certainly is a challenge for many parents. It's not a luxury, and Montessori schools are not in the high-flying fees bracket where maybe the tax credits would almost seem insignificant. These tax credits will offer a significant difference to parents who are already struggling and for those who've not even been able to get started in Montessori schools yet.

Mr Spina: Do you have a criteria for entrance?

Ms MacMahon: To the schools?

Mr Spina: To come to the school. I come to you with a five- or seven-year-old child or a 10-year-old. Are there any criteria that perhaps might prohibit my child from coming into your Montessori school?

Ms MacMahon: Well, the criteria for entrance to a Montessori school is that you are at least two-and-a-half years of age and toilet trained. Because our program is based on developmental stages, we typically do not take children into our schools at an older age. The program starts with preschool children and it's a layered program of education; it develops within three-year chunks. So the children who come in at the preschool age and go through JK and SK levels would go on and be the grade 1 students. It's unusual for children to come in at an older age.

Mr Spina: Therefore, is it fair to assume that if Mr Kennedy has his children in preschool, likely they would continue into that program?

Ms MacMahon: We would encourage that all the time.

Mr Spina: If some children do, and I'm sure there are some who would make the transition from the Montessori system to the regular public system, what happens at that point? How are they evaluated, do you know, in the public system?

Let's say you had a nine-year-old who came out of your system and went into the public system. How would a grade be determined—because they have to fit a grade—how would that happen, or do you know?

Ms MacMahon: We have found that when children move into the school public system, they're into an age-appropriate class and that their actual ability and standard of education is not taken into consideration. They must go into the grade 3 class if they're eight years of age, and that's where they're going to go.

Mr Spina: Is it generally the case that their knowledge level is usually far in advance of that group that they would be slotted into?

Ms MacMahon: I would like to think so. That's not the aim of Montessori schools, but the whole education process starts much earlier and children are already reading when they go into grade 1 in a Montessori school, because they've started to read at the age of four. They've started the whole introduction to reading at age four. So they're building on that ability from grade 1 on. They're building research skills, they're building their ability to prepare and present project work, and their

knowledge of the curriculum is able to develop at a different rate because they're already highly literate at that point.

1740

The Chair: With that, we've run out of time. On behalf of the committee, thank you very much for your presentation this afternoon.

Mr Kennedy: One word, Mr Chair. I know there was no inference, but having raised the example I just want to make it very clear—Mr Spina suggested that a child of mine might continue in education—this is a child already in public school and who will continue in public school. I just wanted to have that for the record.

The Chair: I'm sure that's your choice.

ORANGEVILLE CHRISTIAN SCHOOL

The Chair: Our next presentation this afternoon is from the Orangeville Christian School, so I would ask the presenter or presenters to come forward and state your names for the record. On behalf of the committee, welcome. You have 20 minutes for your presentation this afternoon.

Ms Barbara Bierman: My name is Barbara Bierman and I am a parent of children in the Orangeville Christian School. First of all, I'd like to thank the committee for the opportunity to attend a public hearing and to take part in my civic duty to respond to the request from the government to be heard.

I want to start with a little history. My grandfather, who is 87 now, was involved in the movement to begin Christian day schools in Ontario in the 1950s and 1960s. He worked three jobs to do this. One job was to pay for the actual building that needed to be erected for this purpose, one was to pay the tuition for his children to attend and the other was to provide for the everyday needs of his family of seven children at home. He was also one of the first to participate politically by writing to his MPP about first being taxed for education that he did not participate in and then secondly paying the tuition and fees for the system he did use. He has been supporting independent schools in Ontario for 40 years.

His son, my father, has also supported independent Christian schools through sending his children to them and by volunteering as a board member and education committee member. He also campaigned as a parent in the 1980s for complete educational reform in this province. He supported the funding of Catholic schools as well as public schools and spoke to his MPP several times about extending this arrangement to independent schools because it was the just thing to do. He has been supporting independent schools in Ontario for 30 years.

Today, I am proud to appear before this body to state that my two children attend an independent Christian school in Ontario. As a certified teacher, I have taught in independent schools in both the US and Canada. I have volunteered abundantly in my children's school. I have fundraised, right along with all the other parents, in order that our children will have the books, supplies and

teachers that they need to receive a top-notch education. I have also fully participated in the political process of bringing about a fair funding formula for all schools in Ontario, continuing on the efforts of my grandfather and father. I believe in my right, and more so in my obligation, to choose the education that is best for my children. I am thankful that this government has seen fit to finally end an inequitable situation, and I applaud them for moving past being supportive of my choice to empowering my choice. I have been supporting independent schools in Ontario for 20 years.

Independent schools in Ontario have played an integral role in Ontario's educational history by providing quality education to thousands and thousands of students and families at no cost to the Ontario public. In the past 40 years especially, many, many supporters have taken their civic duties seriously and have campaigned for an end to the province's commitment to funding only the public system and then the Catholic system, consequently supporting the notion that everyone in Ontario should support only the choices within the publicly funded systems, leaving the other ones unvalidated.

Independent schools are here to stay. They have enjoyed steady growth in this province even without the presence of a funding formula. For the past 50 years, graduates of the schools within the Ontario Alliance of Christian Schools, and I am one of them, have been solid citizens. We are hard-working, taxpaying, participatory, responsible people who respect others and authorities. The impulse to be contributing members of Canadian society is nothing new to graduates of independent schools. This will continue to be the case even with the introduction of a tax credit provided to the parents of these students.

The ironic part of this whole debate on education justice is that we already have school choice in Ontario. There are two publicly funded systems, each with special interest academies for music, art, etc. There are French immersion schools and all-girl science and math programs, just to name a few of them. All of these choices are within publicly funded systems.

There are also 734 independent schools in this province with either some cultural or religious world view, certain teaching frameworks or certain socio-economic frameworks. Parents have the freedom to choose the education that is best for their children, but must accept the additional financial penalty if that choice is for an independent school, one without government provision.

Since parents are already making these choices and since there is no evidence of the dreaded fragmentation of society or of the creation of an intolerant populace or of the development of a two-tier education system, it would follow logically then that by leveling the education playing field by legitimizing all parents' choices through a tax credit, the situation would not suddenly change, resulting in any of these aforementioned societal worries.

Parents are making these choices already. Parents will continue to make these choices regardless of the money it

costs or the tax credits offered, because they seek these schools out of personal conviction, not to get away from anything, as independent school critics have claimed.

Bottom line, in a proudly diverse and democratic Ontario, is that this is a matter of the government doing the just, equitable and democratic thing. I submit my support of the equity in education tax credit with the following statements:

(a) Both the UN in 1999 and the Supreme Court of Canada in 1996 have determined that not only is there no constitutional reason opposing the funding of independent schools, but that Canada, in particular Ontario, is in violation of a signed agreement by funding one set of religious schools and no others. It is a good thing to have a government that is willing to do the right thing even without having to be told to do so by the UN or the Supreme Court.

(b) All students deserve the financial support of their government. Education reform that benefits all students is indeed an issue this government campaigned on. Under this proposed tax credit, all students will finally receive that support and recognition. Any school—public, Catholic or independent—that meets or exceeds the government's standards for literacy, numeracy and civic-mindedness deserves that type of support from its government.

(c) Empowering parental involvement and choice in education is also a good thing. The idea of one-size education fitting all is not only too ideal; it does not coincide with the diversity and freedom of which Ontario boasts. Parents must be trusted to choose the education that best serves their children, no matter what that choice is. Accepting all parents' education choices is an idea that will require tolerance on the part of the general public. I don't expect the general public to agree with my choice, but accept it they must. I am the parent. I know what is best for my children. I accept other parents' rights to send their children to public and Catholic schools. I may not agree with those choices, but I accept that those parents too know what is best educationally for their children. The tolerant and democratic response would be for my choice to be honoured in the same manner.

(d) The government's ongoing commitment to the publicly funded systems will benefit all of Ontario. If critics are looking for enemies of the public schools, they will not find them in the ranks of independent school supporters. Parents whose children attend these schools have gladly and will gladly continue submitting their taxes to these systems, believing that high calibre education is the goal for all students in Ontario. By paying our taxes we contribute to the common good of this province. Empowering parents' choices for independent schools by way of a tax credit will also serve the common good, benefiting all systems, including the public system, as it has in other jurisdictions where such choice has been funded.

In summary, tax credits for independent school tuition make so much sense. This move by the government finally brings Ontario on to the same page as five other

provinces, 37 American states and more than half the countries in the Western world. All such jurisdictions report increased levels of student achievement and parental satisfaction in all school systems, a desirable result for a province that has experienced its share of difficulty in this area. Ninety per cent of children stay right where they are, in the public schools. Many of these jurisdictions report gradual reductions in education spending as all schools streamline and manage more effectively with some market-based principles guiding school governance.

This move by the government is not about providing for the wealthy and the elite, or for those who supposedly profit by operating these schools. It is not about the fear of a mass exodus from the public schools for independent schools. It is not about the fragmentation of society, the creation of an intolerant generation of people or the development of a two-tier education system. It is not about taking money away from public schools. It is not about groups of religious fanatics trying to control the lives of their children. All of these notions can be disproved by the actual evidence in other jurisdictions, particularly the five Canadian provinces where parents' choices are funded in various ways.

This move by the government is about empowering choice. It is about trusting parents. It is about a government that is willing to do the right thing. It is about ending an injustice in Ontario in a way that will benefit all Ontarians for the public good.

In the end, I think illustrations are best remembered. Under the present funding formula for education in this province, with choices for public systems alone being funded, I keep being told that I may have my vanilla ice cream in a waffle cone, a sugar cone or a plain cone. I don't want vanilla ice cream at all. I want chocolate ice cream.

1750

The Chair: Thank you very much. We have three minutes per caucus. I'll start with Mr Marchese.

Mr Marchese: Thank you for your views. I appreciate the fact that you and your family have been committed to education for a long time. Do you support public dollars for private non-denominational schools?

Ms Bierman: I support the notion that the government is taking to supply a tax credit for parents making choices for other schools.

Mr Marchese: And that would be one of them as well?

Ms Bierman: It could be.

Mr Marchese: So in the case of Upper Canada College, where they pay \$16,000 a year for their private school, if that's the choice they want, we should help them too.

Ms Bierman: I don't think the income level matters. I think that if parents want to choose a certain type of school, for whatever their reasons are, it is their choice.

Mr Marchese: God bless; I understand.

What happens if Mike Harris was right when he said—because he no longer says it—with his past view that \$500 million would come out of the public system?

Ms Bierman: If he's right about what?

Mr Marchese: I'll say it again.

Ms Bierman: Yes, please.

Mr Marchese: You must have known this because you use some of the language they're using. You must know what Harris said about all this stuff. All these other MPPs are talking about empowering, "It's about choice; it's about trusting parents," all that kind of stuff. You must have heard Harris say a while ago that if we fund religious schools, it would take \$500 million out of the public system.

Ms Bierman: Yes.

Mr Marchese: What if he's right?

Ms Bierman: He's right in the fact that if all these children who are in independent schools showed up at the door of the public school in their jurisdiction tomorrow, it would cost the province \$600 million annually to service them. You're getting a good deal here.

Mr Marchese: So your argument is that it's better to keep them out with private education—

Ms Bierman: Not better; it's about choice.

Mr Marchese: It's about choice, OK. So you don't want to answer the question about Harris being right or wrong about the fact that if it takes money out of the public system—what do you feel about that? That is the question I asked. Would that be wrong or do you think Mike would fix that, or should fix it, in the event it was right?

Ms Bierman: I think they're separate issues. The fact of empowering parent choice has very little to do with whatever the government's decisions are on funding public education.

Mr Marchese: But they say it won't affect the public system. What if he's right? is the question. But that's fine.

With respect to the funding formula, you said you've been involved in dealing with issues of the funding formula. Is that the funding formula currently in the public system or quite apart?

Ms Bierman: Which funding formula are you talking about?

Mr Marchese: You made reference to the funding formula earlier on, but I just don't know where you might have said it.

Ms Bierman: I made reference to it a few times, though.

Mr Marchese: Yes, you did. If you're familiar with the funding formula we currently have, parents have attacked it because they say the current funding formula is one size fits all, a wrong approach to take, because we have such diversity across Ontario to take that approach is a mistake. But Mr O'Toole has argued that one size fits all with respect to choice is wrong and that people should have the choice, of course, to send them anywhere they want. I was just suggesting that they use two different, contradictory positions of choice and the one size fits all vis-à-vis the funding formula where they apply the one size fits all, but wrongly, we argue. I wonder whether you have a comment about that.

Ms Bierman: I do have a comment about it. I think the idea of one-size-fits-all education is idealistic. It would be wonderful. If we would close our eyes and imagine children all playing together, being able to learn what they needed to learn in one environment, that would be great. But you don't have enough money to find a way for my child to be in the public school—

Mr Marchese: Why couldn't we fight for that? Why couldn't we do that?

The Chair: Mr Marchese, we've run out of time.

Mr Garfield Dunlop (Simcoe North): If and when this tax credit or Bill 45 is passed, do you expect to see a large increase in enrolment in your school?

Ms Bierman: No. The phone is not ringing off the hook now. Even with the prospect of the tax credit being passed, our phone is simply not ringing off the hook with any more inquiries than it normally does at this time of year.

Mr Dunlop: Do any of your colleagues in other Christian schools or private schools around the province you've talked to or does anyone else expect to see large increases in enrolment in the other schools?

Ms Bierman: It is not happening with any of the other schools in the Ontario Alliance of Christian Schools. There has not been an increase in the inquiries to any of the schools due to the tax credit.

Mr Dunlop: So do you think that in the city of Toronto, if I said there were going to be 37,000 students come into the private schools, would you agree with that?

Ms Bierman: No. It hasn't happened in any other Canadian jurisdictions. I can't see why it would be that way here.

The Chair: Mr Hardeman.

Mr Hardeman: Thank you very much for the presentation. I noticed by the number of years, your grandfather having been involved in it for 40 years and your father for 30 and yourself for 20, that's about the length of time we've had this type of education in the riding that I represent. I just want to relate that to Mr Marchese's comments about having the one size fitting all and that the perfect system in the world would be if we had that.

Your comment was that we haven't got enough money to make that happen. I guess I'm kind of questioning the comment about whether that is even possible.

Ms Bierman: That's what I was getting at.

Mr Hardeman: The people I speak to in my community seem to imply that there is more to religious education in these independent schools than just the course, that the parental choice is how it's done. Of course, that would be impossible to do if you put everyone together, so the parental choice in one system would be lost. Would that not be true?

Ms Bierman: I would say that's absolutely true and I can verify that by an example. My son has a child in his class who joined the Christian school this year. He came from the public school in our neighbourhood because at the parent-teacher conference a few weeks previous—or I guess it was closer to the end of the previous school

year—the teacher had complained that the child was obsessed with God, that the child spoke of God to friends in the classroom and to the teacher and that other parents were complaining about that, and could the child please just speak about God at home and not at school?

For a Christian family or for any family of faith the world view, the glasses through which we look at everything, is with that faith. So for a child to be told he may talk this way at school but not this way at home, or vice versa, is going to be absolutely disastrous for their well-being and for being well grounded in any kind of sense of who they are identity-wise. I should be so lucky that my child is obsessed with God. I'm a Christian and that's what I believe.

The Chair: Thank you very much. The official opposition.

Mr Kennedy: I'm sure you didn't mean to infer that there was a school tax scheme in place anywhere else, because there is no state and is no province, so—

Ms Bierman: But there are other funds.

Mr Kennedy: But no direct funding through parents of this nature, tax credit or voucher, and you may be aware that in fact those notions were defeated 35 times in the United States last fall.

Ms Bierman: That's a voucher.

Mr Kennedy: Many of them were tax credits, to tell you the truth. There were a number of them that involved tax credit proposals. In the States they see them interchangeably and the language is pretty much the same.

I just wanted to ask you: you said you wanted to be treated in the same manner. Did you mean that? Is that what you're seeking in your presentation when you talk about "the same as the public and the same as the Catholic systems that exist today?" Is that what Orangeville Christian School would like: the exact same arrangements, requirements, curriculum and those kinds of things? Is that what you meant by the same manner when you said you'd like to be treated that way?

Ms Bierman: I have a couple of comments. I will answer your question, but first of all I want to point out for the record that I have written to the Liberal Party on their notion of who goes to independent schools and whether they're wealthy and elite. I've written probably dozens of letters and never received an answer. On the flip side, I've written to dozens and dozens of Tory MPPs on the same issue and I've received an answer to every single letter.

Mr Marchese: Did you write to us?

Ms Bierman: I've never written to you.

Interjections.

Ms Bierman: I just want to point out first that I'm willing to answer their questions, but I would love the same courtesy in return.

Interjections.

Mr Kennedy: May I offer you a very brief answer right now? It's the government that has put you and your school in the same boat as wealthy and elite schools.

Ms Bierman: The only person—

Mr Kennedy: In other words, if the government had chosen and elected to select your schools, they could have done so. They just decided not to and they've included a wide-open back door of any kind of school whatsoever, including wealthy, rich and elite schools.

Ms Bierman: First of all, the only person I've ever heard using the language "wealthy and elite" is Dalton McGuinty. Second—

Mr Kennedy: Sorry, I just remembered: you agree that it's true that the government has made a proposal that applies for those schools as well?

Ms Bierman: The regulations have not been determined yet. I couldn't say what the final thing is going to look like.

Mr Kennedy: Would you agree that they would be restricted out of this proposal?

Ms Bierman: Again, I couldn't say. All I know is that they have offered tax credits to parents of independent schools and I have been told by that office that one regulation—

Mr Kennedy: But I thought I did hear you agree before that those schools should get the benefit. I was just making that assumption.

Ms Bierman: They should, absolutely. It's about choice.

The Chair: With that, Mr Kennedy, we've run out of time.

On behalf of the committee, thank you very much for your presentation this afternoon.

1800

ONTARIO SECONDARY SCHOOL TEACHERS' FEDERATION

The Chair: Our next presentation is from the Ontario Secondary School Teachers' Federation. I would ask the presenters to come forward and state your name for the record.

Mr Earl Manners: Thank you very much for the opportunity to be here. With me are Sherry Rosner, a member of our provincial executive; and Mark Ciavaglia, a member of our staff.

Let me state at the outset that OSSTF policy is now and has always been opposed to direct or indirect funding of private or religious schools. In the past we thought we shared this policy of opposing funding to private or religious schools with our Conservative colleagues, and I would ask Sherry if she would perhaps distribute my letter to the Minister of Education and the response of the Minister of Education to that letter after the Premier and the Minister of Education went on record as defending our public school system and opposing one interpretation of the UN decision.

This is a new policy, obviously, of the Conservative government regarding tax credits for private and religious schools and it can only be seen as a flip-flop on the part of the government and specifically a broken promise of the Premier, given his comments in the leadership debate. I would say, therefore, that the government has no

mandate from the citizens of this province to extend funding in this way. And when you look at this aspect of Bill 45 in conjunction with Bill 46, another part of the taxation legislation, you can only conclude that the government is intent on privatizing public education by whatever means possible.

With Bill 45 we see a reward to parents who remove children from public schools, and with Bill 46 a demand that public school boards look to the private sector to deliver programs wherever possible as part of their business mandate. In think the two go hand in hand.

The tax credit initially amounts to a diversion of \$300 million to \$700 million from our public schools—that's according to government estimates—and this is on top of an already underfunded public education system. According to the Canadian Centre for Policy Alternatives, the government is spending \$2.4 billion less than in 1995 in real dollars if you take into account enrolment growth and inflation.

Let's just take the conservative estimate of \$300 million. That money could have been used to reinstate adult education programs for the 20,000 students who have been disenfranchised and set adrift by the cancellation of these programs by the Conservative government. It could have been used to acquire appropriate textbooks and curriculum resources for the new curriculum being introduced next year, when I understand there will be no textbooks available for any workplace course, any open-level course and very few college-level courses. Or it could be used to reinvest in support staff to ensure their safe school policy can be fully implemented and that we have healthy, safe, clean and welcoming environments in all of our public schools. It could be used to increase early childhood education and early identification and intervention programs, as Fraser Mustard pointed out and the government said they supported. Or it could be used to hire 6,000 teachers. Imagine what effect that would have on the quality of our education.

According to government calculations, though, this \$300 million is assuming no enrolment increases. I know that the current funding formula for public schools doesn't take into account enrolment increases, but the tax credit plan in Bill 45 does, because for every enrolment increase in private schools and decrease in public schools, \$7,000 is lost.

Recent polling suggests that up to 15% of parents with children in public schools may be willing to consider the private school option with a tax voucher. If that comes true, that's 300,000 students at \$7,000 per student, or a loss of \$2.1 billion from the public education system. Half of that would go to private schools and half of it would go into your pockets as the Conservative government.

I don't know how anyone could say that this policy would not have a detrimental effect on student enrolment, and it certainly flies in the face of the government's own submission to the United Nations, where they said, and I quote, that "funding private schools would have a detrimental impact on public schools, and hence the fostering

of a tolerant, multicultural, non-discriminatory society in the province and may result in a significant increase in the number and kind of private schools." Those aren't my words; those are yours. I don't know why you've changed your mind so suddenly. If that \$2.1 billion is lost, 20,000 teachers and educational workers and the programs and services they provide will be lost to our public schools. The way that wouldn't have a detrimental impact is beyond belief.

I would ask, too, if the opposition could request that the government table copies of the its submission to the United Nations. It is not currently available in the Queen's Park library, or no longer available. It somehow has become very scarce.

Mr Phillips: We finally got it today.

Mr Manners: You got it today? Well, that's good. We haven't received a copy, no matter how hard we tried to get one.

Parents who send their children to private schools already receive generous and, in some cases, questionable tax breaks from both the federal and provincial governments. I'd ask you to look at appendix 1 of our presentation. If you believe some of these schools that are identified in that appendix, they're only spending \$1,000 to \$3,000 per year per student for education. I wonder how that's possible. I wonder whether inspections of those schools are taking place and whether they're teaching the curriculum.

The government's tax policy rewards parents who choose to segregate students by religion, ethnicity, class or the ability of students. A tax system is supposed to be there to fund items for the common good, not individual preferences. I'd ask you whether public funding should go to schools or school organizations that say some of the following:

"School choice is a hard sell in Ontario because many people believe the myth that public schooling is the saviour of society in Ontario. The educational establishment continues to feed the motherhood and apple pie myth to a willing audience." That's from the Fair Funding special interest group that has been lobbying for this for quite some time. I wonder if you believe that it's a myth that our public schools play no positive role in our society.

Let me give you another example. The Toronto District Christian High School Web site says: "The school rejects the intrusion of a government-imposed curriculum. Only totalitarian governments attempt to invade the minds of the citizens." If this is true, is your province-wide standardized curriculum an example of a totalitarian action? I wouldn't suggest that, but it seems that this school does.

Number 3, from the Ontario Alliance of Christian Schools newsletter, called Nexus: "The Christian sees the world differently from the non-Christian world view exemplified in ministry curriculum perspectives." If this is the view Christian schools have of the new curriculum, your curriculum, which we support, can you really expect them to use it in their schools if they say that?

Finally, Bethel Baptist School says on their Web site that "most of our curriculum comes from A Beka Book publications," so the students receive an education from a Biblical point of view. When you go to the A Beka Book Web site—which is located in Pensacola, Florida, by the way—they say, and I quote, "Our publications refute the man-made idea of evolution and present government as ordained by God for the maintenance of law and order, not as a cure-all for the problems of humanity. We represent free enterprise economics without apology and point out the dangers of communism, socialism and liberalism." In the throne speech, your government deregulated the curriculum materials and textbooks for this province. You said you would no longer support and hold up circular 14, the regulations that would guarantee the quality of textbooks in our province. Is it OK, then, since you deregulated curriculum and textbooks in this province, for them to use this kind of textbook in the province? Is that all right? I ask the question.

1810

We have a number of recommendations. Tax credits for private and religious schools should be withdrawn from Bill 45. The \$300 million that has been earmarked for tax credits should be reinvested in public elementary and secondary education. I say public elementary and secondary education and I mean public elementary and secondary education.

I'll ask you to distribute a board-by-board analysis of per pupil funding, this student-focused funding you talk so glowingly about. The public school system is already being discriminated against by this government. If you look at the student-focused funding model, on the whole, public boards get less per pupil funding than their coterminous or contiguous boards. In fact, the average per pupil expenditure in Catholic boards is \$7,100 and in public boards it's \$6,850.

I'm not trying to open the historical contract. You've done that. But when you take that difference and multiply it by the number of students in public schools, miraculously you come up with an interesting number: \$349,725,297. It almost sounds like the \$360 million you say you're reinvesting in public schools but obviously not in our public schools, or it's close to the \$300 million you're diverting from our public schools to independent religious and private schools.

That's why we want you to do something that another province did. They held a referendum in Newfoundland—you, of course, support referenda—and asked a very simple, straightforward question. You believe in choice; let's give the public a choice: "Do you support a single school system where all children, regardless of their religious affiliation, attend the same schools, where opportunities for religious education and observances are provided?" If you're going to open the historical contract, then give the public a choice over which direction they want to go. Otherwise, leave the historical contract alone.

Thank you very much.

The Chair: Does that complete your presentation?

Mr Manners: Yes. I'd be happy to take questions.

The Chair: We have three minutes per caucus. Mr Dunlop.

Mr O'Toole: I'll just share time here. I've heard a lot, primarily from the opposition, about the imminent threat of the fragmentation of the public system and the divisiveness that would result. To be brief, I guess my question is simply: I take that as personally critical of the currently over 100,000 students and the history of students who have been educated over the years in those schools. I take that as an offensive remark. Would you support their position that this is divisive and basically a fragmentation, at the same time implying that those who are going through those independent schools today are divisive and fragmenting?

Mr Manners: I think this legislation promotes fragmentation and segregation and discrimination on a number of grounds. That's what is creating any divisiveness in our society today.

I would point out that you constantly refer to other provinces and what they're doing. Let me just give you an example about British Columbia. There's absolutely no funding whatsoever for independent religious schools there. The only schools they fund are elite private schools. Many of them are Catholic in nature, because they don't have a Catholic school system in British Columbia. The same is true in Quebec: elite, wealthy, rich private schools, some of them Catholic, because, again, in Quebec they went to a linguistic-based system, not a denomination-based system. Those are just some examples when you look at the facts.

Mr Dunlop: The charts you give out here today—you're using construction and new pupil places and everything in there.

Mr Manners: We're using total funding to school boards in this province, divided by the number of students. That's what you get on a regular basis. Regardless of where people live in the province or whether it's an urban or rural area, except for minor circumstances, the funding is primarily advantageous to one system as opposed to the other.

Mr Dunlop: School boards use this in the opposite way. They take out the new pupil places and the re-development of schools and that sort of thing. They like to use just operating monies. You're using the total dollars allocated to each board, divided by the number of students.

Mr Manners: Yes.

The Chair: I'll go to the official opposition.

Mr Phillips: Mr O'Toole mentioned that I used the term "fragmentation." That's not my term; I am quoting from the Harris brief. This is the language—and by the way, it's the only report I'm aware of that the government has done on this issue. We've asked them what made them change their mind. The OSSTF and others should look at the document we got today carefully, because it's very hard-hitting against this proposal. It does say, "It will result in the disruption and fragmentation of education. It's difficult to see why it would not also be required for schools established on the basis

of language, ethnicity or culture. The benefits which Ontario receives from a public education system which promotes the value of pluralism and multicultural understanding would be diminished"—it goes on, paragraph after paragraph. I would say to Mr O'Toole, be very careful. This is not my language; I'm quoting from Mike Harris's document here. This was less than two years ago.

I've asked the government, "We know you had this analysis done that said to go in the opposite direction." I asked Mr Flaherty this morning, what new information has he now got that says to turn around and go back in the other direction? I guess my question to OSSTF is, does OSSTF have any advice or rationale for why the government would, in a very short period of time, have done a 180-degree turn on this? I guess they're forgetting they ever wrote the arguments they used just two years ago.

Mr Manners: I would assume that the brief they presented to the United Nations would have been based on extremely solid research, and I would hope they would table that with the opposition and with the public. I believe the only reason they have done this flip-flop is that they've been subject to a very targeted lobby of Conservative MPPs—it was admitted earlier today by some of the presenters—and that they've decided to acquiesce to a special interest group that represents just 100,000 students, rather than those organizations that try to represent the broad base of communities across this province.

It's sad. I tried to write and give credit where credit was due when I wrote the Minister of Education and supported her on her very strong statements in defence of public education a year and a half ago. I appreciated the letter that came back in return, where she said very clearly that the goal of this government was to protect and enhance the public school system. There is no new research to say this is better. In fact, if you look at our American counterparts, or New Zealand or Great Britain, they're going in exactly the opposite direction after these failed experiments took place there.

The Chair: Thank you very much. Mr Marchese.

Mr Marchese: I found it curious too when this government, which has got rid of the Anti-Racism Secretariat, the welcome houses, the ESL from the Minister of Citizenship, the same government that extirpated all references to words like "equity" from the new curriculum, all of a sudden found this new religion that says people have been asking and demanding literally that they have their own education reflecting their own culture and religion. It was a very curious thing.

I want to ask you a question on the polling more pertinent to this discussion, because people have been saying that there's no evidence people leave the system. My point is that the onus should be on the government to show that's the case. They should do some research. They haven't done it. But you did. That polling has obviously been done by some firm that is reputable. Do you want to comment again on that polling? Do you

think the government should be doing some of this research before they embark on this initiative?

Mr Manners: Yes, the government should be doing the research, and yes, they should be filing it with the public, and yes, there should be an opportunity for public reaction. That's why I think this segment of the bill has to be removed. Our polling was done by a reputable firm, according to all the standard practices used by any polling firm. We handed out all the questions and the way the questionnaire was constructed. It's a tough question for us to ask. This is not a question we like to hear, that 15% of the public may take this reward or this bribe or this voucher and take it to a private school; we don't like to hear that. But we asked the hard question because we want to make sure we have a well-informed response. That's what we need as well from this government.

1820

Mr Marchese: I should say that this tax credit is much richer than many of the budgets that are out there. This is a tax credit that in the end, when you apply it to the income tax system, has a higher value.

By the way, I wanted to say, Earl, this is not subject to education considerations. The ministry says, "We just want to help people because those people need help." There were no education considerations whatsoever.

Mr Manners: None. When this government compares itself to other provinces, they're comparing apples and oranges. They are confusing and misleading the public somewhat when it's pointed out that in British Columbia the kinds of schools that are going to be funded by a tax credit could never get funding in British Columbia because they don't meet some of the standards that are required to even get funding in British Columbia.

The Chair: Thank you very much; we've run out of time. On behalf of the committee, thank you very much for your presentation this afternoon.

CANADIAN FEDERATION OF STUDENTS

The Chair: Our last presentation this afternoon is from the Canadian Federation of Students. I would ask the presenter or presenters to come forward. On behalf of the committee, welcome. You have 20 minutes for your presentation.

Mr Rick Telfer: I want to begin by saying thank you to the standing committee on finance for hearing the Canadian Federation of Students. Our area of specialty is more post-secondary rather than elementary and secondary, but we certainly have comments to make on this bill as it relates to many initiatives we've experienced in post-secondary education.

The item that's being circulated at the moment is a letter from MPP Bob Wood. I actually recently moved from London, Ontario, to Toronto. This was a letter I received from Mr Wood concerning Bill 45. My remarks are going to be largely reflections on this letter, or I guess an oral response to his comments, sort of a breakdown of my immediate reactions to what Mr Wood had to say.

Before I go any further, I want to mention that in Ontario the Canadian Federation of Students represents approximately 185,000 college and university students. As I mentioned, our unique perspective arises from our experiences with the provincial government over the last six years on questions of policy and funding for post-secondary education.

I'm going to reiterate a few comments from Mr Wood's letter and then respond to them. In the letter it states, "Our government has always been, and shall remain committed to the publicly funded education system." Elsewhere he states, "We will continue to make new investments in the publicly funded education system to improve the quality of education in Ontario."

Our question is, what does "committed" mean exactly? In the context of public post-secondary education, the provincial government cut \$400 million from colleges and universities in 1996-97. Only a small portion of that funding has been restored since and most of the new investments are tied to private partnerships. From our perspective, this does not demonstrate a commitment to public education, so how then can we expect such a commitment to the elementary and secondary levels of education?

Another statement made by Mr Wood was, "We want to ensure that all students in Ontario have access to a quality education." The Ontario government has told post-secondary and potential post-secondary students the same thing, yet in its latest education quarterly report, Statistics Canada reports a pronounced drop in participation rates among students from middle- and low-income families. That's with a \$60,000 household income cut-off.

The 1999 decline in participation rates was the first recorded since Statistics Canada began tracking such data in 1965. This trend was especially noticeable in Ontario, where tuition fees have been deregulated for graduate and many professional programs. Quite simply, deregulating and increasing tuition fees does not ensure accessibility. So again, how can we expect a commitment to accessibility at the elementary and secondary levels of education, given the track record in post-secondary education?

A few additional comments made by Mr Wood: "We have moved forward with numerous initiatives since we took office in 1995 in order to improve the system for the future of our children. We have introduced a new rigorous curriculum; province-wide testing of students; and the teacher-testing program." Likewise, the Ontario government has moved forward with numerous initiatives related to post-secondary education since taking office in 1995. Many of these initiatives were rushed and implemented with little or no consultation with those directly affected. It is not the quantity of initiatives that matters, but rather it is the quality of those initiatives and whether they were decided upon democratically.

Like targeted funding and key performance indicators for colleges and universities, most of the provincial government's initiatives with respect to elementary and

secondary education are first and foremost attempts to micromanage public institutions, not to improve the quality of education. Bill 45 represents yet another reckless and haphazard initiative.

Some additional statements: "Over many months, members from both sides of the House have heard from many parents who have told us they want their children educated in their own culture and religion or by special methodologies.... At the same time, we will encourage all schools to meet the high standards that we have already set, and we will continue to set standards in Ontario and work to ensure that our students are meeting those standards."

I am sure that members from both sides of the House have also heard from many parents who oppose a voucher system of education in Ontario because that's indeed what Bill 45 effectively introduces: a voucher system. I'm also sure that members of the House have learned of various opinion polls on the subject and thus are aware that the majority of Ontario's people are opposed to Bill 45. Why, then, is the provincial government trying to justify the initiative with reference to many parents? Surely the majority of parents in Ontario have followed or at least are aware of the debate; and the majority are opposed to Bill 45, thus the bill should be defeated.

Regarding the high standards and numerous initiatives that the provincial government has implemented thus far in the public system, we are left wondering what the point of those initiatives was, given that Bill 45 would encourage parents to send their children to private schools. If such standards and initiatives will have little or no impact on private schooling, indeed if the government is only able to "encourage" high standards, then why develop such standards and initiatives at all? This very question speaks to the quandaries and dilemmas associated with the two-tiered system of education. If made into law, Bill 45 will create such a two-tiered system.

Mr Wood states: "This funding will ensure that students—whether they go to a public, Catholic or independent school—have the tools they need to succeed." Here it is admitted that the tax credit is indeed a form of funding for private education. Further, we fail to understand how funding diverted from public education to private schooling will ensure the needed tools for success in today's modern and complex society. In fact, the tools we need are new textbooks, improved libraries, smaller class sizes, physical education and extracurricular activities. Students with disabilities need proper attention and adult education needs to be improved and expanded. Exposure to diversity and lessons in cultural acceptance are essential. These are the tools that students need in order to succeed, and those tools are best delivered within a single system of publicly funded and regulated education. In a segregated two-tier system, such tools will be lost and fragmented.

I'm just going to remark on two more final statements: "We feel it is fair to provide support to and offer those

parents more flexibility and choice in education," and "We have confidence that parents will make the right choice for their children." Repeatedly, the Ontario government justifies its education policy initiatives with reference to promoting the best interests of our children and our students. Further, the Ontario government has implemented numerous initiatives with little or no consultation with teachers, students or parents, again ostensibly for the good of our children and our students. Yet, on the question of funding for private education, the rhetoric has shifted. Suddenly we are debating the private choices of parents, ostensibly for the good of their children, as if choice itself is inherently a good thing and as if parents always do make the right choices for their children.

From our perspective, not only does the proposed tax credit represent a significant shift in support away from public education, but the arguments used to justify the tax credit themselves undermine the notion and importance of public education. If all questions of government policy were reduced to matters of individual choice, then the very notion of an integrated and socialized society becomes extremely fragile. Only the public system of education can ensure equal opportunity and respect for diversity. High standards and public accountability are possible only within a system of public education.

Like the recently passed Bill 132, which permitted the establishment of private, for-profit universities in Ontario, Bill 45 will undermine public education. For this reason, the Canadian Federation of Students opposes Bill 45 and recommends that the more than \$300 million that would be diverted from public schooling remain within the public system.

Further, we recommend that the Ontario government increase funding for public education and that the government genuinely consult with and consider the feedback of students, teachers and parents related to all future education policy initiatives.

The Chair: Thank you very much. We have approximately three minutes per caucus. I'll start with the official opposition.

Mr Phillips: Thank you for your thoughtful presentation. I'm going to focus on the tax credit program, although I share and appreciate your view of the cuts in the post-secondary field. I think we're the only jurisdiction in North America that hasn't increased investment in that in the last five years.

I use the government's own documents here to try and find out what they're all about, because it was just two years ago that they put forward in writing a strong case against extending funding. By the way, I know how sensitive this issue is for many people in Ontario. I'll read you one paragraph—these are their words—just to get your view on it. It said, "It would undermine the ability of public schools to build social cohesion, tolerance and understanding. When diverse populations separate themselves from the general mix, the public system is the poorer because the opportunities for understanding and accommodating differences are dimin-

ished." Those are Mike Harris's words or the Harris government's words. Do you share the concerns they expressed at that time about what might happen with the extension?

1830

Mr Telfer: Yes, we certainly do. It's very ironic that they definitely echo the kinds of concerns that are being raised now. It's the same sorts of reasons why we have things like multicultural policies in this nation of ours. We strive to put people together and integrate rather than segregate. I would agree with those arguments that it would in fact lead to a fragmented system and possibly segregation. I'll just make one other statement.

Historically, one of the ways the United States attempted to reduce racism within their own country was to integrate black and white schools. So it seems obvious.

Mr Kennedy: From the standpoint of what you've seen happening in post-secondary, in a way the government is saying here, "We want to have some private schools. We want to make people pay," because it's part of what this does, from the recent experience of deregulation in this province and allowing tuitions to grow at an alarming rate in the last 10 years, what would you draw from that in terms of what it says about people's access to education and the forward movement of Ontario as a province?

Mr Telfer: What we've known is that as tuition fees have jumped, and I do mean quite substantially—

Mr Kennedy: By the way, if a private school wanted to raise their tuition and capture all of this right now, all this money could just go to that.

Mr Telfer: That's right. Again, coming back to the first comment, it's ironic that these arguments against privatizing education were made and at the same time they were privatizing post-secondary education. From our perspective education is education, be it elementary, secondary or post-secondary. There are all sorts of problems associated with user fees, obviously access, deregulation and privatization. Because user fees for private education do represent privatization, one of our biggest concerns is in the context of international trade liberalization. For example, in the context of GATT, the General Agreement on Tariffs and Trade, what kind of impact will those agreements have on privatized schools? Will it mean that at some point down the road a ruling will be made by the WTO that public funding is no longer permitted to public institutions? Or should we fully fund private institutions without any public accountability? Those are the kinds of concerns we have that go beyond simply accessibility.

Mr Marchese: Thank you, Rick. I appreciate the concerns you've raised, the concerns you have with respect to Mr Wood saying, "We are committed to public education." You take the view that from a post-secondary education level you've seen tremendous cuts, and it isn't just \$450 million. In the aggregate, I think it's \$1.2 billion they've taken out. You're right, they put some back in, but cumulatively it's a lot of money taken out of the system. When they say, "We're for the public system. We're committed"—you know the cuts have been tre-

mendous. You also know from the Portals and Pathways report they commissioned that even that report was saying, "You've got to pour in close to \$500 million in the next couple of years." Of course they responded to it by giving I think \$200 million for the next couple of years, which is nowhere near what they've taken out. So you're worried about their commitment to public education, right?

Mr Telfer: Right. The overall point I'm trying to stress here is just that, that we've already been through it. We've experienced it and we know what's coming next. We know the closest friends to the government are groups like the Fraser Institute, which for a long time have been advocating privatization of elementary and secondary schools. We have been there. You're absolutely correct that the Task Force on Investing in Students report, Portals and Pathways, would have suggested \$80 million for next year, and they gave us \$30 million, which won't even account for inflationary costs. If that's the road ahead for elementary and secondary schools, then we're very concerned. Many of us in post-secondary education will also be parents some day.

Mr Hardeman: Thank you very much for your presentation. First of all, you made some reference to the commitment to post-secondary education and the government. I just want to point out that in the year 2000-01 we did increase funds for colleges and universities to address the renewal needs you spoke of by over \$140 million. That's over and above the \$1 billion we put into the post-secondary institutions for the expansion of building new facilities to meet the rising enrolment that will be coming, and we will by the year 2003-04 have increased the funding for the operations by \$293 million. I think that speaks to the commitment of the government to post-secondary education.

What I'd really like to dwell on: we're just about through our second day of hearings on this bill and we've heard a lot of discussion from presenters who speak to the fact that giving parental choice and allowing parents to make judgments on the type of education they want for their children, and of course building some fairness into the system—that when parents make a choice different from what's available in the two systems that are fully publicly funded, somehow the students coming out of the parental choice are not equipped or don't have the same abilities as students coming out of those systems. Some have even said that somehow tolerance can only be achieved by going to the present public system.

You, representing students at universities, would be acquainted with all students regardless of the type of education they came from. Whether they come from the Montessori schools, an independent school, a public system or the Catholic system, you would see them all come to university. From your membership in the student federation, could you define a difference in people, and what will tell you which system they had been involved with in the past?

Mr Telfer: I won't speak directly to that from a perspective of my organization. I will say, however, from personal experience, having been a university student

both through an undergraduate and a graduate degree, that I'm a small-town boy who went to the public system in both elementary and secondary schools and adapted quite well and quickly into the diverse university environment. Sometimes I've found it wasn't the case for those who came from, say, Upper Canada College or other sorts of schools. That's just a personal anecdote but I think that's OK, given the number of personal anecdotes this provincial government typically uses to justify its initiatives.

I want to make a couple of other comments in reaction to some of the things you've stated, and one is this sort of notion that the provincial government has reinvested millions in post-sec. I just want to aim at that simply because I love this sort of sand-in-the-eyes approach of throwing around, "We've invested millions here and

millions here," without any historical perspective on the millions that have been taken out or the very real and explicit statement of the government to create a crisis in education, and that was fully intended at all levels of education. I question this notion of fairness, and you say that some have argued this and some have argued that. But the majority have already spoken. The opinion polls from very reputable firms have already demonstrated what—

Mr Hardeman: Are you suggesting then that—

The Chair: With that, Mr Hardeman, we've run out of time. On behalf of the committee, I would like to thank you for your presentation this afternoon.

This committee will be adjourned until 9 o'clock tomorrow morning.

The committee adjourned at 1839.

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Official Report of Debates (Hansard)

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Standing committee on finance and economic affairs

Responsible Choices for Growth
and Accountability Act
(2001 Budget), 2001

Comité permanent des finances et des affaires économiques

Loi de 2001
sur des choix réfléchis
favorisant la croissance
et la responsabilisation
(budget de 2001)

Chair: Marcel Beaubien
Clerk: Susan Sourial

Président : Marcel Beaubien
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LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

STANDING COMMITTEE ON
FINANCE AND ECONOMIC AFFAIRSCOMITÉ PERMANENT DES FINANCES
ET DES AFFAIRES ÉCONOMIQUES

Tuesday 12 June 2001

Mardi 12 juin 2001

*The committee met at 0901 in room 151.*RESPONSIBLE CHOICES FOR GROWTH
AND ACCOUNTABILITY ACT
(2001 BUDGET), 2001LOI DE 2001
SUR DES CHOIX RÉFLÉCHIS
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ET LA RESPONSABILISATION
(BUDGET DE 2001)

Consideration of Bill 45, An Act to implement measures contained in the 2001 Budget and to amend various statutes / Projet de loi 45, Loi mettant en oeuvre des mesures mentionnées dans le budget de 2001 et modifiant diverses lois.

ONTARIO TEACHERS' FEDERATION

The Chair (Mr Marcel Beaubien): Good morning, everyone. It is 9 o'clock, and I'd like to bring the committee to order. If we are going to stay on time, we'd better start on time. Our first presentation this morning is from the Ontario Teachers' Federation. I would ask the presenters to come forward and then state your name for the record. On behalf of the committee, welcome. You have 20 minutes for your presentation this morning.

Mr Roger Régimbal: My name is Roger Régimbal. I'm president of the Ontario Teachers' Federation. Accompanying me is Peter Vandenberk, a member of our staff.

The Ontario Teachers' Federation welcomes the opportunity today to appear before the standing committee on finance and economic affairs to offer its views on the proposed tax credit for private schools contained within Bill 45. The federation represents the 144,000 elementary and secondary teachers in Ontario's public, Catholic and French-language schools.

The province of Ontario has been responsible for the publicly funded education system for its citizens for almost 150 years. The public, or common, schools have long been regarded as one of the foundations of our civil society. The public education system is the largest single source of economic opportunity and advancement for individuals, and is the place where children from diverse ethnic, economic and cultural backgrounds learn to live and work together. The understanding of those different

from ourselves and the ability to work with others constructively and co-operatively are not only traits which benefit the individual. In today's rapidly shrinking world, these skills and attributes benefit our society as a whole, improving productivity and competitiveness. As Hugh Segal, president of the Institute for Research on Public Policy, told the governors of the OTF at a private meeting in 1998, "[The state of] publicly funded education is a proxy for [the state of] a civil society." It is for those reasons that, as a society, all taxpayers have been required to support publicly funded schools, regardless of whether they have children enrolled in those schools.

When public schools were first started in Canada, people were poor and believed enough in the need for public education to contribute their hard-earned pennies in order to make sure that we had a publicly funded system. The proposed tax credit is a significant move away from the principle that all members of Ontario society share in the costs and benefits of our common school system. We propose this morning to examine several key features of the proposed tax credit and their impact on the education system as a whole.

The need for accountable schools: the hallmarks or quality indicators of an excellent school system are a sound curriculum, qualified teachers and sufficient resources to ensure that all students have real opportunities for learning and success. Testing and other accountability systems are used to measure progress, to inform policy development and to improve instruction. The last six years have seen massive change and considerable stress in the system. Education budgets have been cut in real terms from 1995 levels, and a variety of system resources continue to be stretched to the limit: time, administrative and teaching.

The Ontario Teachers' Federation believes strongly in our publicly funded school system. We question the government's commitment to that system. The government proposes to reward those who opt out with a sizeable tax credit, rather than rewarding those who stay in with improved education resources.

What is the cost to the system of the tax credit? A tax credit represents a decision by a government to forgo revenues that would otherwise be owed to society's common purse. A refundable tax credit goes beyond a tax deduction. The credit is deducted against tax owing. If the credit is larger than the amount of tax owed, it is refunded to the taxpayer. The cost of this tax credit when fully implemented, based on current private school enrol-

ment, has been estimated at \$350 million. It is generally expected, however, that with the tax credit in place, private school enrolment will increase significantly, and might even double, resulting in a revenue loss to the government of \$700 million. Those lost revenues would otherwise be available for a variety of programs: education, health, transport. If we look at education alone, what could that money do? You have in the written brief different scenarios that you can read in there.

The cost to school boards in lost grants for pupils who leave the system: every student who leaves the publicly funded system for the private system reduces the funding of the school and school board by \$7,000. If only two students were to leave in each of 5,000 schools, the publicly funded system would lose \$70 million. If the present private school enrolment were to double, resulting in an average loss of 20 students for each of the 5,000 schools, the cost to the public system would be \$700 million. The funding formula is enrolment driven, but many of the costs of education are not enrolment driven. A loss of two to 20 students per school will not substantially affect the costs of heat, maintenance and administrative work and will have only a marginal effect on the number of teachers required.

The cost to the government to administer the tax credit: there are many hidden costs attached to it. There are a number of administrative issues that have not yet been ironed out or have cost estimates attached to them. Who will determine that a given private school is bona fide and should be authorized to issue tuition receipts? What will the criteria be? What auditing process will be required? How will the tax credit be reconciled? Will tax-credit-eligible private schools be required to submit yearly financial audits? What will be the added cost to the tax processing and collection systems?

0910

Some other important information: the Ministry of Education Web site currently contains the following important information on private schools. It states that, "In accordance with section 16 of the Education Act, operators of private schools in Ontario are required to notify the Ministry of Education annually of their intention to operate by showing a notice of intention to operate a private school. Inclusion of a private school in this directory does not imply that the instruction it offers has been approved by the ministry.

"The Ministry of Education may inspect a private secondary school that has requested inspection in order to authorize the principal to grant credits in subjects leading to the Ontario secondary school diploma. The inspection relates to the standard of instruction. The ministry does not inspect health equipment nor practices related to safety and staffing issues."

Private schools are not required to employ qualified teachers. Many private schools do not operate with qualified teachers. Unlike medicine, which requires a licence to practise regardless of the venue, teachers are only required to be licensed by the Ontario College of Teachers if they are teaching in the publicly funded system. The

complaints, investigation and disciplinary processes of the college, which are designed in the public interest, only apply to persons who are members of the college.

Policies of the Ministry of Education, like the safe schools policy, which establishes guidelines for the reporting of school-related violence, do not apply to private schools. The provincial government does not require teachers in private schools to submit to criminal reference checks. Private schools are not required to participate in provincial testing, except for the grade 10 literacy test, starting in 2001, because it is a diploma requirement. Elementary private schools are not required to follow the provincial curriculum. Will the public expect the Ministry of Education to issue a Good House-keeping seal of approval to private schools? What bureaucracy will be required to do this?

In conclusion, in each education reform that has been brought forward in the life of this government, the news releases, the background papers and the public statements have always made the issue of accountability one of the central reasons for the change. As I look back over the last six years, I and my predecessors in this office have repeatedly responded that teachers are not afraid of accountability. In fact we welcome it. It strikes me as highly ironic that I should be here today to address a government initiative which appears to be totally without any sense of accountability. I have to ask, where is the government's commitment to accountability on this issue? This is not the first time, however, that a president of the OTF has appeared before a legislative standing committee to urge review of hastily introduced public policy, to urge a sober second thought and a careful examination of all implications. I urge the government to take the time necessary to ensure sound public policy and appropriate fiscal management.

On this, we recommend that the government withdraw the sections of Bill 45 dealing with the equity in education tax credit in order to allow for further public consultations on providing a tax credit to parents of students enrolled in private schools; investigation into the administrative costs and processes which would be required to implement the tax credit; extensive public consultations on the standards of accountability to be applied to private schools which might be eligible for such a tax credit; and public release of the findings of the investigation and the public consultations. Thank you very much.

The Chair: Thank you very much. We have two minutes per caucus. I'll start with Mr Marchese.

Mr Rosario Marchese (Trinity-Spadina): It is curious that we are discussing a whole lot of education issues, yet this is a tax initiative. It is the tax guy who made this initiative. What he said was, "We are just giving people some money back because we think they deserve fairness." The implications are educational, but Ecker had nothing to do with this decision. At no time did they say, "Yes, there are implications, and we are going to deal with them." What do you say to that?

Mr Régimbal: As I said in my last paragraph, it was hastily done from the point of view that we can see. This

is a societal debate. Being a societal debate, you don't do that with just a small change in the tax credit system; it has to be the whole of Ontario society wanting this change.

Mr Marchese: Harris has pointed out in the past that such a move would fragment society along religious lines and that such a move would take \$500 million. They now claim people should have a choice. They all now claim there will not be an exodus, on behalf of parents who use public schools, to the other private schools. Do you agree that the government should do a study that would show there will not be an exodus before they do such a thing?

Mr Régimbal: I think there should be an in-depth study of all of this situation. What preoccupies us most, as you probably read in the brief, is the accountability side. If the government wants to impose an accountability framework on the public school system, anybody who accesses public funds should have to deal with the same accountability system.

The Chair: Thank you very much. To the government side, Mr Hardeman.

Mr Ernie Hardeman (Oxford): First of all, I want to say I agree with you that all taxpayers support public education because that's good for society. A good public education system is what we all want. That's why the government this year is putting \$360 million more into the public education system, because we agree with you that a top-notch public education system is very important. I had some concerns, though, in some of the individual items you mentioned about the public education system.

The first one was, as you were talking what identifies a quality school, all I heard was what we put into the system. Not once did you mention the students coming out of the system. That's how I would measure quality education. When the children have been educated, that's how you would see whether the system is working properly. I noticed that you didn't mention the students. You mentioned the input costs, qualified teachers and well-rounded products in the system. I had a little concern that that's where the focus would be on how you would measure quality.

You also mentioned that it was generally accepted by some that enrolment was going to double in the independent schools. I haven't heard anyone suggesting that it could be, should be or could possibly be to that extent.

The other point, that there has been no discussion about this: in my community, this discussion has been going on for 40 years, that people who make a choice, who want some different type of education for their children, should have that choice and, in fairness, they should not pay for educating their children in the public system totally. No one is objecting to them doing that. But they should not pay for that and then totally pay for their parental choices too, that they want something different. It could be in a Montessori school—

The Chair: Thank you, Mr Hardeman, but we have run out of time. I have to go to the official opposition; Mr Phillips.

Mr Gerry Phillips (Scarborough-Agincourt): It was less than two years ago that the government prepared—this is their brief arguing against extending funding; at least this is part of the material. It was extremely hard-hitting. I've quoted from it. This is the government, this is the Premier Harris government talking here in their submission opposing extending it. Among other things, they said it would “undermine the ability of public schools to build social cohesion, tolerance and understanding. When diverse populations separate themselves from the general mix, the public system is the poorer because the opportunities for understanding and accommodating differences are diminished.” They go on to say it “would result in the disruption and fragmentation of education” in Ontario. This is Harris, the government speaking. “If full and direct funding were provided for private religious schools, it is difficult to see why it would not also be required for schools established on the basis of language, ethnicity or culture. The benefits which Ontario receives from a public education system which promotes the values of pluralism, multiculturalism and understanding may be diminished.”

0920

So there was an enormous amount of research done arguing against it. We've asked the government to present—I assume they've done a substantial amount of research now to justify changing their mind within two years. We've been told the research was that somebody looked at the Internet to see what happened to enrolment.

Has OTF been aware of any research the government has done—because I assume you must have been involved in it—that would justify a 180-degree turn in that short of period of time?

Mr Régimbal: We are not aware of any research that has been done. I'd like to respond to the fact that we have not mentioned the students there. That is because I truly believe the students that the publicly funded school system is producing are top-notch students. We just have to look at the Ontario society today: 98% of them are from the publicly funded school system, and they are leaders in our society.

As for the discussion part, which relates to Mr Phillips's question 2, up to a couple of weeks ago, the government's position on the issue was that they were not going to finance the private schools. At the last election, it was not an election issue. Therefore, there might have been discussions within the different communities, but it was not put on the table for the public to vote on as an issue in the last election. So it is not a question of a mandate that the government has to go ahead with it. If that's what they wanted, they should have made it an election issue.

The Chair: With that, we've run out of time. Au nom du comité, merci pour votre présentation ce matin.

TORONTO DISTRICT
CHRISTIAN HIGH SCHOOL

The Chair: Our next presentation this morning is from the Toronto District Christian High School. I would

ask the presenter or presenters to come forward, please, and state your name for the record. On behalf of the committee, welcome. You have 20 minutes for your presentation.

Mr Ren Siebenga: It's truly an honour to be here today. In 1971, I was here with a whole bunch of school children and some principals and presented to then-Premier Davis and his Education Minister Welch.

We've collected 100,000 signatures from across the province saying that the tax dollars should follow the child to the school of parental choice, so it's been a long, long way. So this is a day that, in my communities, we are celebrating. I don't know all the politics that goes on and I'm not party to all that stuff in that I have a big enough job in what I'm doing. I'm the principal of Toronto District Christian High School. I've been a principal of independent schools for 30 years: a whole bunch of years in a place called Durham Christian High School in Bowmanville, and the last six and a half years in the Toronto District Christian High School here in Toronto.

Let me introduce some other folks that I have with me. To my left is Phil Vriend. Phil is an English teacher at Toronto District Christian High School. He lives downtown here in Toronto, so I picked on him this morning because he had the shortest way in. The rest of the folks are at school holding the fort, hopefully.

I also brought some students with me. I'll just introduce them for a minute.

0930

Reuben Grin is there on the end. Reuben is an OAC student at Toronto District Christian High School. He's a student from the Georgetown community. He's graduating this year. He's heading off to Calvin College, which is a Christian liberal arts college in Grand Rapids, Michigan. Reuben is studying physics and philosophy. He'll put them together, I'm sure.

Andrew Chorostecki here is from the Brampton community. He's also graduating this year. He's going to the University of Ottawa this coming year. Let's see, what's he going to study? Probably political science. Is that right?

Mr Phillips: There is no "science."

Mr Joseph Spina (Brampton Centre): Is it a fine art, Gerry?

Mr Siebenga: Then we have Brandon Weening here. Brandon is going to Queen's University. Brandon could study in almost any field. He's an incredibly gifted fellow. In fact, Queen's is giving him \$12,000 a year to go to Queen's this coming year.

Adele Konyndyk—oh, Robyn. I'm sorry. That's her sister. The principal doesn't always know the names of everybody. Brandon is from the Holland Marsh area. Robyn is from Georgetown, and Robyn is going to Redeemer Christian University in Hamilton this coming year to study journalism.

Toronto District Christian High School has produced about 2,500 graduates through the years. This is our 38th year of existence and there are students everywhere making their contribution to the culture.

My parents immigrated to this country in the 1920s to Lacombe, Alberta. My mother was eight. She came with her father and three siblings and had all her schooling in this country. My dad was 18 and had no schooling here and proceeded to work on farms. They immigrated just before the Depression. They were tough years. My father rode the rods, as they rode in those days, between Albert and BC. He jumped off into the path of an oncoming train and lost both his hands. There was a major discussion about whether to send him back to Holland or not. The community, his parents, his brother and his siblings came to his aid and said, "He will never be a ward of the state; he will not accept the dole."

He rejoined his brother in Alberta. They homesteaded for many years. He was a beef farmer, a dairy farmer. He was a charter member of a Christian school. In 1945 they started a Christian school in Lacombe. He sent all his nine children through the Lacombe Christian School. I went to Bentley High School. From there I went to a liberal arts college. I then moved to Ontario, taught for a few years and became principal. I studied at Trent University and also at the University of Toronto. I got a master's degree in education at U of T. I have my OTC. I have my Ontario principal's certificate, and we require certification of all our teachers as well. In fact, we have a certification system. In addition to the Ontario system, we have a Christian certification system, so they have to get a CSTC, as we say, and our principals have to get Ontario Christian school principal certificates as well.

That's a little about the people. I'll give you a quick review of TDCH at this point. If you take your little booklets out, you'll see a little bit of our history here. Our present site is in Woodbridge. We have 11 acres of land which was purchased in the 1950s which was sort of the edge of Toronto at that time and was land that could be afforded. The school started in the early 1960s and has been a regional school all the years, taking in students from Alliston, Brampton, Georgetown, Mississauga, Holland Marsh and Richmond Hill. We have seven school buses that pull into the property every day. We have students who ride the city buses as well. That gives you a little bit of the history of the school.

Our programs are predominantly academic. We do not have a technical program per se. We run an advanced program. In the old days we called it advanced, general and basic; we had those three streams; those are being readjusted in the present four-year program. We have grade 9 through OAC.

0930

The purpose for schools like ours, the schools that my parents started and so on, has nothing to do with not liking public schools. They've been around for a long, long time, and whether the tax credit comes through or not, they'll still be around. It's all to do with passing on our faith to our next generation. We're Christians and we believe that everything we do in our life should be coloured by that perspective, particularly our education. We want to pass on what we believe to be true about life to the next generation, and schools are important for that,

and it has its implications in every little nook and cranny of the school operation.

The theory for that is well developed through the years, and if you want to get your hands on some of the material on that, you could read it. It's about passing on a way of life. It's about passing on a tradition. It's passing on a faith to the next generation and giving them the skills and tools with which to be Christian in our culture. We want them in the middle of the culture. We want them right in the middle of it, shaping and forming the culture for the Lord. We encourage our English teachers to figure out how to train in that way; we encourage our math teachers to do the same, our history teachers—all of our teachers.

When it comes to accountability—I heard the last speaker speak and I've heard quite a bit on that in the last while—our institutions have their ups and downs. We've been around a long time. All institutions have their good times and their not-so-good times, but a whole lot of that has to do with the quality of the education that goes on inside. When we produce a good product and when we're doing a good job of what we're doing, there are people knocking on the doors, and that's incredible accountability. Going through down times when you're cutting staff, and when you're releasing persons from your payroll, are not good times. We have been through those in our schools, but they usually have to do with quality, the stuff that's going on inside. If we are faithful to what we are supposed to be doing—that's educating for this culture, educating responsible citizens—we will have people knocking on our doors, and we do.

Our parents run the place. The board is made up of parents. I'm answerable to a board of trustees. We have education committees that govern the curriculum education side of the institution. Parents who send children are committed to giving of their time to help make the institution work, because it's their institution.

We are also inspected regularly by the Ministry of Education, and I mean inspected. They go from one end to the other. I have many friends who are in the public sector, and they have not seen inspectors for years; we see them every year. The reason we go through that is because we offer ministry diplomas. We have to do that in order to offer to offer the ministry diploma. We have major debates and fights with them from time to time on the stuff we're doing, but we work within the system to make it happen. We acknowledge that to give the diploma requires accountability to them as well. There are things they're concerned about that we have to grant to them.

I'll just mention a couple of other things here. I gave you quite a handout of questions and answers. There's all kinds of material there. For instance, there are comparisons with other provinces if you're interested in how other provinces are doing on this issue. There are some of the other questions that have been raised in a previous presentation

We are committed to a strong public school system. Our culture has to have it. It grieves me when it falls

apart and it grieves me when they're hurting. We do not want a hurting public school system in our culture. We need a strong public school system. We need a strong Catholic school system. We need choice. We need a variety of opportunities for parents to choose from.

That's what I want to offer you today, that all children should have tax dollars spent on them. Public schooling should be seen as one of the choices parents have.

Mr Phil Vriend: Are there any questions?

The Chair: If that completes your presentation, we have approximately a minute and a half per caucus, and I'll start with the government side.

Mr John O'Toole (Durham): It's a pleasure to see you again and to commend you for the ongoing struggle. I suspect the question I have is to reinforce the importance of standards and accountability, if you could just elaborate. It's been mentioned in many of the presentations by your counterparts in the public education system. Your teachers would all have a degree and some sort of teaching qualifications—you call them certified teachers—and you also have a rigorous inspection, which is really part of an accountability system. In some cases, the public system is lacking that annualized inspection, the teacher being validated in the classroom, actually being monitored. Maybe you could, in the general sense, comment on how rigorous it is specifically in your school.

Mr Siebenga: Every six years we are inspected by the Ontario Alliance of Christian Schools. They have outside inspectors who come in and shake us down from one end to the other. It's usually a two- to three-day inspection, and they produce about a 40-page document on our schools, which involves finance, education, every nook and cranny of the operation. We then put together a plan of action on behalf of our board to move all the "goods" in their recommendations to "excellents." I've been through a host of those through the years. They're pretty unnerving and make you rather vulnerable. We have a ministry inspection every year. We have to fill out the forms. They come in, and we pay for those inspections. We also have parental inspections. We have parents coming to the classroom to see what's happening.

The Chair: The official opposition.

Mr Phillips: Thirty years as principal and you look so young, it must be a good job.

Mr Siebenga: Look a little closer.

Mr Phillips: The government, just less than two years ago, argued strenuously on the other side of this issue, against extending funding. This was their brief; I have yet to see the rationale for changing it. I wonder if you might comment on one of the paragraphs they used when they were arguing against it, just to provide another view. The Harris government said at the time, a couple of years ago, "Extending funding ... would undermine the ability of public schools to build social cohesion, tolerance and understanding." When diverse populations "separate themselves from the general mix, the public system is the poorer because the opportunities for understanding and

accommodating differences are diminished." That was Harris's argument two years ago.

Mr Siebenga: We don't buy that argument, and we haven't for years. Our idea is that we need to, in community, pass on our faith to our children to help them develop their self-image of who in the world they are, so that they can come to grips with who they are as people and make their contribution to the culture as the people they're meant to be. We want to give them the skills and tools to do that. That's our purpose.

Mr O'Toole: On a point of order, Mr Chair: If I could have Mr Phillips clarify where he is citing this material. Is it from the Waldman—

Mr Phillips: It's from the Ontario government's documents that were tabled yesterday with us—

Mr O'Toole: Could you cite it properly?

Mr Phillips: Sure.

Mr O'Toole: Is it from Waldman v Canada?

Mr Phillips: As you can see here, it's Ontario's draft of the state party's response, the author's communication sent to the government of Canada. It was sent by the Ontario government to Canada. You've got to get the documents out. Look for the one that's dated February 22, 1999, about two years ago and then you flip in—

Mr Marchese: Monsieur Beaubien, s'il vous plaît.

The Chair: Mr O'Toole, I think you know where to find the information.

Mr Phillips: Go to pages 2 and 3 then.

Mr Marchese: Give him the document.

Mr Phillips: Are you on page 2 now?

Mr Marchese: Give him the document, because—

Mr Phillips: See page 2 at the top?

Mr Marchese: You've got it.

The Chair: Mr Marchese, go ahead. Proceed.

Mr Phillips: Page 2 and then—

The Chair: Mr Phillips, that's enough. I think Mr O'Toole knows where to go. Mr Marchese.

0940

Mr Marchese: Mr Siebenga, thank you for your presentation. Look, I respect the work you all do. My difference is not that. I support a strong public school system, as you said you do, and if people want to make a different choice, that's a different matter. You're saying choice should be universal, that everybody should be able to decide where they go, and I just don't buy that.

In the public system, students are subjected to all sorts of things that the government has forced on them, and we have to live by them while they're in office. Hopefully, after that things will change, but until then, we're subject to it.

In your statement of educational philosophy, you say, "The Toronto District Christian High School, along with other independent schools, rejects the intrusion of government-imposed curriculum." Some guidelines, OK, but, "The government may not dictate the contents or the religious philosophical direction of that intrusion. Only totalitarian governments attempt to invade the minds of its citizens."

If the public system is subjected to that, and you're saying, "We need choice and give us the money for that choice; however, we don't want government intrusion," how do you deal with that? How do you defend that?

Mr Siebenga: I think I mentioned that I expect there will be some government intrusion into our system—and I don't know what this system is, the tax credit system and so on; I don't have all the details of that figured out—but I would hope it would maintain the integrity of our system, that you would see our system and you would say, "That's a good system. It should have its integrity maintained. We ought not to have an intrusion into that system that destroys it."

How you would set that up, I don't know, but I would invite you to consider it. How could you set up a system that would allow us to be the people we're meant to be within the system, providing to the Ontario mosaic our gifts and our contribution. That's what we've been asking for years, and we've doing it at this same time, as you can see from students like this. We have 2,500 graduates in the present school I'm in—anyway, I won't go on.

The Chair: We've run out of time. On behalf of the committee, thank you very much for your presentation this morning.

PEEL DISTRICT SCHOOL BOARD

The Chair: Our next presentation this morning is from the Peel District School Board. I would ask the presenter or presenters to come forward and state your name for the record. On behalf of the committee, welcome, and you have 20 minutes for your presentation this morning.

Ms Janet McDougald: Good morning. Thank you very much for allowing us to present this morning. I know time slots are limited and so we're pleased to be able to be here.

My name is Janet McDougald and I am the chair of the Peel District School Board, which is Canada's third-largest school district. With me today is Ruth Thompson, who is our vice-chair of the board, and Harinder Takhar, who is our associate director of educational services.

As one of largest school boards in Ontario, we believe we must add our voice to the groundswell of opposition to this government's proposal to fund private schools with public tax money. Today, I will speak briefly on behalf of my board about the danger of this proposal in terms of fragmenting our communities, the potential weakening of the public school system, the lack of accountability measures and the lost opportunity to create more choice within public schools. I do not intend to speak for the full 20 minutes and, therefore, we will all welcome questions at the end.

Obviously as an organization, we are fundamentally opposed to this proposal. Let me illustrate why with a little imaginary journey. If I took all of you here to one of our 184 public schools in Peel, one of the first things you would see as we walked through the door would be a poster, our award-winning multilingual welcome poster.

With its image representing a mix of races and cultures, and the word "welcome" in the 25 major languages of Peel, it is a powerful symbol of what works in public schools today. In public schools, all are welcome and all belong. Schools remain a key cornerstone of an open and democratic society.

Our schools are within, and are integral parts of, diverse communities. One of the key roles of public education is to foster and nurture diversity to prepare our students for the world in which they will live. Every week I see this demonstrated in local school events and activities which reflect the diversity of the community as a given. If schools are microcosms of the community, then Peel schools are places where the message is not to simply tolerate other cultures but rather to embrace them.

To be blunt, this goal is not well served by a disguised voucher system which segregates, fragments and divides. For this government to support divisiveness is unconscionable, and our society will pay the price. The message that all belong is one that is learned through everyday life in a public school. This voucher system delivers the exact opposite message.

Clearly, we are also concerned about the money this government proposes to spend on this proposal. Although it is true that we have experienced a few satisfactory areas where funding has actually increased, such as in new school construction, we also know too well the shortages within our schools and our system. We know staff who have lost jobs through funding cuts. Scarce public dollars should not be spent on private schools, period.

You see, we take issue with a proposal that spends our taxpayer dollars based on an assumption of what parents want. Because if you ask parents and school councils for ways to spend \$300 million, they have many useful suggestions. They may request smaller class sizes, more textbooks, greater support for special education, more teaching assistants, lunchroom supervisors, more time for staff training and on and on. We can assure you, spending a single penny of their money on private schools would not be on their agenda. How do I know this? Because this year we asked our staff, parents and community what they wanted through our system planning for student success process. Over 3,000 responded and 94% supported our seven goals, including our goal of enriching diversity. Not one respondent asked for vouchers.

We must say as well that, as a board, we have been pleased, despite the times we may have disagreed on specific initiatives or processes, with this government's stated commitment to strengthen public schools. This government has said repeatedly that its focus is on strengthening the public school system, not on vouchers. This latest flip-flop seems an uncharacteristic move for a government so committed to keeping stated promises. It is at best disappointing and at worst a betrayal.

As firm as this government's commitment has been to promises made, promises kept, there has been an even greater focus on accountability. Public school boards and

public schools are buried in paperwork necessary to achieve these accountability measures. To prove that tax dollars are well spent, our teachers and principals complete countless forms and reports, so many that they tell us it has become a major workload issue. And we are speaking of measures beyond the required provincial student testing.

Now the proposal is to give private schools money, albeit indirectly, without a scrap of accountability. Will the government hold these schools accountable to the same standards as public schools? Specifically, will these private schools be expected to accept all students, both able-bodied and disabled? Will they be required to provide transportation? Will they be expected to employ certified teachers, accountable to the College of Teachers, and will they be tested? Will they have to follow the provincial curriculum and evaluate students according to provincial standards, including report cards? Will these private schools be required to follow the same health and safety standards as public schools?

0950

As taxpayers, the members of the Peel board see that this voucher system provides zero accountability for our tax dollars, a fact that is opposite the core belief of this government. What will the government do to guarantee the accountability of all schools in receipt, directly or indirectly, of government funds?

Finally, beyond our concerns about fragmentation, the removal of money from public schools and the complete lack of accountability, we are concerned that the government did not even look at a creative way to offer greater opportunities within the existing public school system. As a board, we are committed to creating greater choice within our public schools. We have a creative learning choices committee working to identify innovative and enriching new programs within our school. Recently, for example, we approved the launch of a new elementary school for the arts.

If the government truly wants to meet the needs of parents, then give public schools the funding and the legislative flexibility to offer more choice within the public school system. Could we not offer in some way some of the kinds of programs seen at some independent schools? Is there a framework that our board and the ministry could negotiate that would make this a possibility?

To us, this is very a worthwhile discussion to have. By offering greater choice within public schools, we strengthen public schools, ensure the government's commitment to the existing system, enrich the focus of diversity and fulfill the necessity of accountability without creating divisiveness.

In the Peel board, at every level, we use a guiding principle: what is best for our students. This proposal does absolutely zero good, but has a serious potential to do harm. We teach our students to leave a legacy. What will this legacy be? A society divided, or one united by a strong, accountable, open public school system? That is the real choice here.

We hope that you will consider these issues as you continue the process of these hearings.

We're here this morning and would be pleased to answer questions, because I think in that way we might be able to get into a little bit of a discussion around some of the issues. Certainly we're more than willing to give you some specifics about the kinds of things that are happening within our public schools in Peel.

The Chair: Thank you very much. We have a couple of minutes per caucus and I'll start with the official opposition. Mr Phillips.

Mr Phillips: I appreciate the brief from a well-regarded board.

The thing that has caught us off guard is that it was just two years ago that the government prepared a very comprehensive brief arguing against extending funding to private schools. I quote just a couple of things in here. They said, "It would result in the disruption and fragmentation of education in Ontario. It is difficult to see why it would not also be required for schools established on the basis of language, ethnicity and culture. The benefits which Ontario receives from a public education system which promotes the values of pluralism, multiculturalism and understanding would be diminished," and also speak to the point you raised. It goes on to say that extending the funding "would have an adverse effect on the viability of the public school system, which would become the system serving students not found admissible by any other system."

My question to you and your board, because you're obviously knowledgeable, is, have you an idea why the government changed its mind in that short a period of time? Are you aware of any research the government has done that said, "We were wrong two years ago. All the arguments we used against it have changed?" Can you help the committee in terms of what research they have done that would allow them to change their mind so dramatically?

Ms McDougald: I believe that was the flip-flop quote in my presentation. From our perspective I don't believe we're privy to the government's initiatives or their thinking or where they do it or how they come up with these kinds of things.

Certainly from a public school system perspective, we don't believe that this is good for kids and we also don't believe they have taken into consideration the fact that the public school systems have been meeting the needs of children for years and years and years. What would make this government believe we couldn't continue to do that, that we couldn't make room for some changes within the public school system and create more choices for kids, to be more inclusive? It wasn't too long ago, as a matter of fact, that we were all talking about consolidation and amalgamation: let's get rid of duplication of services, let's be more efficient and effective. That's why school boards were downsized. That's why municipalities were amalgamated. That's why we are in the mess we are in now. Now this government is deciding to divide and create more, when I thought we were trying to become

more efficient and effective. I'm as confused as you are, Mr Phillips.

Mr Marchese: One of the points about this, of course, is that it's a tax credit, an initiative by the Minister of Finance, not the Minister of Education. They said, "Here's the money. We're just trying to help people. That's it." What you and many other deputations have pointed out is that there are a lot of implications of public dollars—should they flow to the private schools? Are you not—I find it curious at least. Do you find it curious that the Minister of Education isn't around, isn't here, and that they're not talking about these implications, that for all intents and purposes, we really are not debating other educational issues because it is a tax issue?

Ms McDougald: No matter how you package it, I don't think you can fool the general public. I think they're bright and interested, and they have a lot invested in public education. You just need to walk into one of our public schools at any time and see the number of parent volunteers and the active school councils we have. No matter how they package it, it really doesn't matter. We all know it is a fundamental change to the way public education has been financed and offered. I don't think you're fooling anybody. When I talk to people within my community, they certainly see it as that. It has little to do with finances and everything to do with public schools.

Mr Marchese: The government members—Mr O'Toole in particular—say the one-size-fits-all philosophy is not appropriate around this particular issue, that we should allow people to have choice. "What's wrong with that?" is the argument they make.

Ms McDougald: Certainly we would agree that one size does not fit all, ever. Again, you need to look at a region such as Peel, where we move from urban right through to rural. We have an extremely highly diverse population. We have schools that have 30 or 40 cultures within a student body of just 600. If anybody knows about offering choice, it certainly is the public school system. We believe, as I said before, that public schools can meet those needs and those changing needs of communities, and we can do it best, rather than diverting money to all sorts of little interest groups.

You talk about accountability and those kinds of things. I can open a private school tomorrow that can absolutely guarantee that every student will go on to post-secondary education. I can guarantee it because that is the only kind of student I will take. So you can make all of those guarantees. But in public education we take everyone and we help every student reach their potential. As a citizen of this province, and certainly a lifelong resident of Peel, I believe that's the kind of public education system I want my grandchildren growing up in.

Mr Spina: Thank you, Janet, Ruth and Harinder. It's good to see you again; I know we see each other a lot. I just want, first of all, to compliment the board. In my opinion, our Peel board has probably been the best in working—

Mr O'Toole: Durham is the best.

Mr Spina: Durham argues. Do you have the posters these people have? I was pleased—for example, you talked about 25 languages. When we opened Great Lakes Public School a month and a half ago, I think there were 36 language flags in that school, which is fantastic.

You obviously are critical of a voucher system, and yet you want more choice within the public school system so that parents would have choice. Wouldn't you need a voucher system within the board if you did that, Janet? If you want to give people choice, and you had people in north Brampton who wanted to choose between Heart Lake Secondary or Mayfield—and Mayfield, of course, has a wonderful fine arts program—wouldn't you need a voucher system to be able to do that? I see that as a voucher system, not the tax credit. Please help me understand that better.

1000

Ms McDougald: I don't understand what you're suggesting. Are you suggesting our parents would actually take money to public schools to get into certain programs?

Mr Spina: No. What I'm asking you is this: in order to give people the choice within your system, within the public system, they would essentially be able to take a funding voucher, which is not cash in their hand, to Mayfield, Heart Lake Secondary, Notre Dame or whatever, and then that funding would flow through to that school. That, to me, is what a voucher is. The tax credit here doesn't even relate to that kind of voucher context.

Ms McDougald: We now have an open system in Peel. In fact, any student in Peel can go to any school they wish as long as there's room. In other words, you can live in the south of Peel and if you happen to work in Brampton and want your child to be close to your place of business, you can apply on what we call a flexible boundary and place that child in that school in Brampton as long as there is room and space. You can understand why that needs to happen. We can't afford to have some schools at 150% capacity and some schools at 50% capacity. I think your government would certainly agree with that, Joe.

Right now, we have that kind of flexibility. But when we're talking about choice, we're obviously talking about this voucher system also targeting people who, for religious reasons, want to take their children to other school systems. What we're saying is, your government didn't even ask public schools if we could address those needs. They didn't even say, "Here is a huge system that has been addressing every need kids have." Why didn't you come to public schools and say, "Is there something we can do to better address these needs within the public system that would satisfy some people?"

Mr Spina: But the public board is clearly saying—

The Chair: Mr Spina, I'm sorry—

Mr Spina: —that all religious education—

The Chair: Mr Spina, please come to order. We've run out of time. On behalf of the committee, thank you very much for your presentation this morning.

ONTARIO EDUCATION ALLIANCE

The Chair: Our next presentation this morning is from the Ontario Education Alliance. I ask the presenter or presenters to come forward. You have 20 minutes for your presentation and, on behalf of the committee, welcome.

Ms Jacqueline Latter: I'm Jacqueline Latter, and I'm here on behalf of the Ontario Education Alliance. I have the pleasure of having with me today a friend and colleague who is currently the president of the Urban Alliance on Race Relations. She has been a trustee of the Toronto board. She was vice-chair of the Toronto board at one time. She and I had the pleasure of co-chairing the heritage language committee for many years. I will speak first, and Tam Goossen will follow. Then we'll both be more than happy to answer your questions or get into discussion with you.

First of all, I won't say it's a pleasure to be here, because I wish we didn't have to constantly come to the defend our public education system against this government. I find it interesting to note that almost to the day a year ago, on Wednesday, June 7, 2000, Tam Goossen and I drove up to Barrie and made a presentation, again on an education bill. I believe it was Bill 74 at that time.

If Mr O'Toole would perhaps allow us the courtesy of listening, I think that would be much more—

The Chair: I'll make sure order and decorum are maintained. I don't think I need any help. If it gets out of hand, I will deal with it. If you'd continue with your presentation this morning, I would appreciate it.

Ms Latter: I will continue. I particularly mention Mr O'Toole because I note that—

The Chair: It's a tool I'm not going to let presenters use. It's an old tool and it's been well worn out. I think you should proceed with your presentation this morning.

Ms Latter: I have the Hansard with me from the day I mentioned, and on that occasion the member I just mentioned didn't even have the courtesy of staying in the room when we were presenting, along with Annie Kidder, with whom we shared our spot at that time. I would just hope this committee would recognize that we have differences—we have political differences, and we have philosophical differences—but in view of the fact we're talking about education, and I know we try to teach respect through the education system, I would hope we could just respect our individual differences and listen to each other.

I want to say a couple of things about this particular government and their focus on education. I don't think it's a secret that they have embarked on a campaign, since they were elected in 1995, that appears to a lot of us who care about the public education system is designed to dismantle our fine public education system in Ontario. There have been several billion dollars taken out of education funding. I know the government will argue those figures, but the reality is they have removed amounts of money from the system that have left it crippled across the province. They imposed an underfunding formula

based on square footage rather than on program or children's needs. In fact, as I'm sure they're aware, because it was said many times at the time, that the only institutions that base funding formulas on square footage are correctional institutions and zoos.

They've also managed to slash programs through underfunding, slash staff and starve special education and student services, and then they've blamed school boards and unions. They've tried to blame parents at certain points. They've certainly blamed teachers, and they've blamed students. We all know the famous crisis speech. They clearly wanted to create a crisis in order to create a favourable climate for education vouchers or whatever name you call it. I'm not going to argue the semantics of that, but that's where we are today.

I want to tell you, first of all, that I'm an immigrant. I came here from Scotland in 1969. I was immediately struck by the quality of the education system—I'd always been interested in education—and I paid a lot of attention to it, particularly in this city as it changed over many years. There was always multicultural diversity here, and I was very impressed by the way the education system here in this city, and then across the province, was able to handle the different diversities through public funding.

I'm also Jewish, and my children have been raised Jewish. We belong to a synagogue. For eight years, our children have gone to Hebrew school after school and on weekends. They stayed in the public school system for their education and, through that, I think they benefited from the multicultural, multilingual and multiracial diversity that offers. I think my children's education was made much richer by the fact they were able to be not only in contact with children from other cultures, other backgrounds and other religions but were able to learn from them and about them and vice versa. I think that's the kind of society we as Canadians are hoping to foster, a society based on tolerance and respect for all the types of diversities we encompass.

This particular proposal by this government makes absolutely no sense in the light of that. Many, many people of different religions, who are very committed to their religion and to the spirituality and the continuing of the traditions send their kids to public system.

1010

I had a very interesting conversation, actually, with one of your previous presenters from, I believe, the Toronto District Christian High School after his presentation. I was struck by his presentation. It was an eloquent presentation. I understood exactly what he was saying. In the hallway, I introduced myself to him and I said, "I appreciate your point of view. The only point that we differ on is who should pay for this." I don't believe that taxpayers in this country should be paying for religious or private school education. I don't believe this government has a mandate to ask to do that. I don't believe this government ever raised this in an honest, open, transparent way with the electorate before they went to the electorate in the last election, and therefore I don't believe they have a right to even consider

something like this, which is such a dramatic change of direction in the way education is delivered.

I'm going to stop now. I'm sure you will have some questions where I can go into more depth about what I was saying. I'm going to hand it over to Tam Goossen, the current president of the Urban Alliance on Race Relations.

Ms Tam Goossen: Thank you, Mr Chair. My name is Tam Goossen. I'm here really more as a former trustee in the Toronto Board of Education for nine years and as a parent whose two children graduated from our local schools.

I've had a great opportunity of working with many, many different parent groups, including parents from the Black, Chinese, Greek, Portuguese and Spanish-speaking communities. There was one common goal that bound all of us together: a passionate wish to improve the public education system to ensure all of our children, no matter from what background, can achieve to the best of their abilities in the schools.

We fought long and hard. For some of us who may remember those long, long meetings at the school board, we really were at the very beginning of a movement of immigrant parents who were passionate about the public education system. We fought long and hard with school boards and school principals to take down barriers which stood in the way of our children's success. It took years for our voices to be heard—you can imagine; a lot of those parents hardly spoke English—and for our concerns to be taken seriously. But it was a fundamentally democratic process that helped us build confidence in the public school system. We could point to our local schools and feel proud that our children and their friends were learning and growing together and that we as parents had something to do with it.

I'm really actually very, very sad and angry that ever since this present government came to power, they've done practically everything possible to destroy the confidence and the health of the public education system, that took decades to build. The last straw has to be this tax credit for private schools. I just wonder how much more we can take and how vulnerable all the communities feel right now because of the loss of confidence in that one system. As immigrant parents, we have not much choice when it comes to it. We really put our children in the hands of the teachers and schools, hoping that something good will come of it. Our future depends on how well they're educated.

In a 1997 Toronto Board of Education survey, 61% of our high school students were from the major religious groups. There are roughly 28,000 students in total, so 61% of that. The rough categories of groups include Christian, Buddhist, Muslim, Jewish and Hindu. This is just to augment what Jackie said earlier, that within the public system there are a lot of parents with strong religious faith but who also want their children to be in the public system, to be growing up together with all these children and families from other religious backgrounds. But under this proposal what essentially is

happening is that parents will be encouraged and indeed rewarded with as much as \$3,500 for removing their children from the public system. In turn, the public system will be punished to the tune of \$7,000 per student. I don't know what logic this has. I thought in Canada—I certainly learned this as an immigrant when I came from Hong Kong in 1970—education was the prime responsibility of the provincial government. The federal government always tells us, when we go to them, "It is not our responsibility. It is the province's responsibility." So, who is making these decisions affecting the largest number of students and families in this country, upon whom we depend for the future of Canada?

There's the question of diversity. I believe—and this is shared by, I'm sure, all of you—that a strong public education system is key to a healthy democracy. Without true democracy, there is no celebration of diversity. Let's not kid ourselves. Over the years all the parents and students, from all racial, ethnic, religious and economic backgrounds, have put in a lot of effort to make sure our public system is more inclusive.

There was a question earlier around the choice within the public system. There is a choice for all well-off parents, say, from Rosedale to send their kids to St James Town. Is there a choice for parents from St James Town to send their kids to Rosedale? In theory there is, but in reality, you have to fight mighty hard.

My last words would be, let's not be fooled by all this political rhetoric, and let's just focus. There are so few resources at our disposal, let's just focus our energy, both public and private. I call on the supporters of religious-based schools that they too have to support a healthy public education system or their faith-based schools will be targets for attack and vandalism. That will be the end of all our dreams.

The Vice-Chair (Mr Doug Galt): Thank you very much for your presentation. We have approximately one minute left for each of the caucuses.

Ms Marilyn Churley (Toronto-Danforth): I'm very pleased that you were able to come and make a deputation today. I know, Tam, you were a school trustee at one time. So, she does know what she's talking about here. I wanted to ask you very quickly about the fact that the government has taken all references on curriculum, all references to equity out. The anti-racist secretariat is gone. Welcome House is gone. ESL and heritage language programs are disappearing. Yet the finance minister is saying that we need religious and heritage choices in education. How do you see those two coming together? The things we used to have, that we were building on within the public system, have been taken away by the government, which at the same time now is starting to give tax credits to people who want to go outside the system to get that.

Ms Goossen: It is really sad to watch, because you can see these pieces of government actions happening. It seems there's no deep understanding of a lot of the issues faced by parents, and a lot of the parents are from immigrant backgrounds. You can see that over 50% of

new immigrants coming to Canada settle in the GTA. There are many issues facing the public education system, but it doesn't seem to me that the government really is aware of the problems. The decisions are made more as—there's not a word for it—a knee-jerk reaction to different groups that are putting pressure on the government at the time. That's why, if you put them all together in perspective, it don't make sense as a whole, because if you are taking away some of the public support to help immigrant parents and their students to adjust to Canada—this is to Ontario—to begin to make a good contribution in the long term—

The Vice-Chair: We are running out of time for that caucus. We will have to move on to the government side.

Ms Goossen: The true investment is really in the public education system. When you take that away and take away the whole issue of how to make sure that our public education system—

The Vice-Chair: Sorry, we are going to have to move on to the government side. We've been over two minutes.

Mr Hardeman: I just wanted to clarify one thing. We've heard this from other presenters, that the government is going to give \$3,500 to people to make their parental choice on the type of education their children are going to get. I just wanted to make sure we all understood that—and this is a five-year program—in order to get the \$3,500, a parent would have to spend \$7,000 first. It isn't payment until they have contributed the full amount for their children's education and for their choice.

1020

What I really wanted to ask about, though, is this: the previous presenter—and I think you had said you were here for the presentation—talked about why couldn't we incorporate into the public system the parental choice for the types of education that parents are choosing. In my community, the independent school that I'm most acquainted with is a Christian school and it's been there for 43 years. My question would be—

The Vice-Chair: Mr Hardeman, we're out of time. We'll have to move on to the official opposition. My apologies.

Mr Phillips: The government had a very comprehensive study done two years ago, and your organization should look at it. It argued strenuously against extending funding and used some very strong language against it. We've got the evidence of why they felt that way two years ago, but they've suddenly changed their minds 180 degrees.

I read some of the language in here, because it is strong and it says that if they extend funding it would "undermine the ability of public schools to build social cohesion, tolerance and understanding." When diverse populations "separate themselves from the general mix, the public system is the poorer because the opportunities for understanding and accommodating ... differences are diminished." These are Premier Harris's government's words, not mine.

Has your organization been aware of any research the government has done that justifies this complete reversal of the policy they had two years ago, where they—

Ms Goossen: I understand from questions asked in the House there is no research that this government has done for this.

The Vice-Chair: Thank you very much, Mr Phillips, and thank you for your presentation, much appreciated. We've run out of time.

ONTARIO CHRISTIAN SCHOOL ADMINISTRATORS ASSOCIATION

The Vice-Chair: We now call on Mr Ray Hendriks, chair of the Ontario Christian School Administrators Association. Welcome. I appreciate your coming forward to present to the standing committee on finance and economic affairs.

To start out, please state your name for clarity, for the record for Hansard, and you have 20 minutes for the presentation. What's left of the 20 minutes after your presentation can be divided between the three caucuses.

Mr Ray Hendriks: My name is Ray Hendriks and I am, as identified, the chair of the Ontario Christian School Administrators Association.

Thank you for this opportunity to present to you. As in many of the stories you have heard here this morning, there is both a corporate story and a personal story. I'd like to share, just to give you a little bit of background, my personal story in all of this, to begin with.

I'm a graduate of Immanuel Christian School, located in Oshawa, Ontario. My parents were immigrants to this country. They were parents completely sold in the belief that the education system offered to their children had to be reflective of their value system, of their belief system. They worked very hard to begin a school in Oshawa. It was a small school at a time when private or independent schools weren't the most popular items around, and yet they worked very hard at that.

It was a school in which I had the privilege of carrying petitions that you heard about earlier, in the early 1970s, to search for funding. It was a school that was committed to justice in education. Next weekend I have a reunion of my grade 8 graduating class. As I looked through that list, I was pleased to see the large number of productive, responsible taxpaying citizens that graduated from that group.

That group is not an elite group of people. That group includes a couple of farmers, teachers, a pastor, workers or labourers at General Motors; there's a physician or two in that group; there's even a gentleman who attempted a number of times to run for the Conservative party in the Durham region. So there are a number of people who are graduates of that class who have—

Mr O'Toole: He won, right?

Mr Hendriks: As we look at that class, though, it strikes me that they cross a number of work and occupation lines. There are entrepreneurs in that group, and there are many good, solid families that contribute well

to the province of Ontario. They are products of that school system. There are many of those examples in Ontario.

Today, however, I speak to you on behalf of the Ontario Christian School Administrators Association. That's my responsibility today; that's my corporate job. I am currently the chairperson of that group of Christian school administrators and have been a member of the association for 16 years. I also serve as principal of Rhema Christian School in Peterborough. It's very difficult in my comments to separate the two, although I will try to do that as much as possible.

OCSAA, the Ontario Christian School Administrators Association, is a support organization for principals in Christian schools in Ontario. The members of our group are predominantly, although not exclusively, from Ontario Alliance schools. Our 85-plus members represent 76 schools and just shy of 13,000 students.

While an overview and documentation about our organization is attached—I've enclosed that for you—I would like to highlight one item about our organization and my purpose for being here today. One of the stated purposes of the Ontario Christian School Administrators Association is to take a leadership role in Christian education in Ontario. In past years we have acted with our partner organizations in sending briefs to committees of the Ontario Legislature, including responses to reports such as the Radwanski report from years ago, and various other initiatives taken by the Legislature. At this critical time we appreciate the opportunity to speak once again.

OCSAA has been a functioning, active member of the educational scene in Ontario since its inception in the 1960s. This organization provides an accountability basis that encourages all principals in our association to maintain high standards of professionalism and competency. Some of these initiatives are, and you will have heard some of these from an earlier speaker: our support of the Ontario Alliance of Christian Schools school evaluation program, which is a thorough evaluation of all of our schools on a cyclical basis—about every six years we visit all of the schools in Ontario that are part of our alliance. That report is about 40, 45 or 50 pages long. It's conducted by two or three professional administrators who are trained in that process and we actively support that process, and you know as all of those evaluations go of schools, that that ends up also being an evaluation of our work in the schools.

In addition to that, we're active in professional development, and regularly hold workshops and conventions which have a high rate of membership attendance. Our people show up at these things. They're interested in learning, in developing the schools to the highest standards possible.

We have the sponsoring of regional principals' associations that meet for professional development and support. On almost a monthly basis, our principals meet throughout Ontario, again for development and support.

There is also a network of organizational committees—and I apologize for the quality of that chart in the

attachment—that oversee the developing work of administrators in Ontario Christian schools.

Finally, and probably most importantly for our purposes today, we have also developed a certificate and diploma program which operates on a near equivalency basis with similar public certificates to ensure that all of our administrators are qualified to lead schools in this province. Again, attached there's a list of those courses that are available.

I must admit it's with great excitement that I received the news of the refundable credit proposal announced by the Minister of Finance. This proposal honours the principles of justice in education for which we have been advocating. It brings us into the mainstream of educational reform and into the company of much of the rest of the western world, where educational choice has been a fact for years.

1030

We applaud this initiative for a number of reasons:

As administrators of Christian schools we know that for the majority of the parents of our schools, Christian schooling is not a choice—and I must emphasize that; it is not a choice—it is a requirement of their faith. My parents had this as a requirement of their faith; the majority of people who attend our schools have it as a requirement of their faith. It's an obligation, a necessity. For Christian parents, every aspect of schooling is religious and it is in schools within the general boundaries of their faith that their children must be taught. The Christian families of our school system believe that there is no such thing as a religiously neutral school system and therefore they must send their children to one which reflects their beliefs.

As administrators of Christian schools in Ontario, we are also very familiar with the financial sacrifices made by our parents, as well as time sacrifices. The majority of our families are not part of the wealthy private school parent group that has been described both in the media and by political opponents. I know that in my particular school a quick perusal of the family list would indicate that very few of our parents are independently wealthy and that the vast majority are part of the hard-working majority of the population of Ontario, with diverse occupations, including farming, teaching, sales, skilled trades, labourers in industry and building, entrepreneurs and small business owners. These parents recognize the injustice of the current system and applaud the refundable tax credit proposal.

As administrators of Christian schools in Ontario, we also witness daily the sacrifice of time of the parents in our schools. For those who fear that there will be a huge number of small private or independent schools beginning because of the tax credit, they need not fear. We recognize the tremendous time sacrifice made by our parents and supporters to keep these schools running smoothly. To put it plainly, folks, it's a lot of work to run a school, and money is not the dictating factor for that. Parents are involved in many areas of the school, from overseeing its integrity to its mission and vision, to the general repair and maintenance of the buildings.

I sat with a finance committee last night, struggling over how we are going to meet the needs of a number of parents who are struggling to pay the tuition for this year. We met till later on last evening, 10:30 I think, by the time we adjourned our meeting last night, and these are parents who work hard during the day, and they're there in the school. The schools that we administrate benefit from high levels of parental involvement, parents who realize that it is not a small task or undertaking to establish and maintain a school. This factor alone prohibits large numbers of private schools from beginning.

The media, political opponents and the public school teachers' groups have tried to make the case that this initiative will be to the detriment of the public school system. Again, there is no evidence for that at all. In areas where funding has been extended to private and independent schools, there was not a major exodus out of the public school system. In fact, in Alberta, where the most generous funding initiatives are in place, over 90% of parents still support public schools. Much of the western world practices some degree of educational choice. From the full voucher system found in Scandinavia to government-funded systems of choice throughout the world—I won't go through them all in light of time, but they're listed there—there is widespread acknowledgement of the positive value of school choice. In a recent study by the Fraser Institute, the author stated, "Evidence suggests that if the Canadian education system supported greater parental choice, student achievement would improve. It certainly has done elsewhere."

As administrators of Christian schools in Ontario we see our students graduate to become productive citizens of the high schools they attend and ultimately productive citizens of this province. Our students leave our school having received an education which allows them to be successful in the endeavours of life that are before them. I was proud to hear this week that six of my graduates received citizenship awards in the public and Christian high schools that they attend. That is a goal for us, that our children learn to live well in the culture in which they will live and do live, and we have that as part of our goal. Our students receive a quality education in our schools, an education which strives to adhere to the general principles of the Ontario Ministry of Education and Training and prepares them well for the rigours of high school, college, university and the workplace.

As administrators of Christian schools in Ontario, we are privileged to work with staff who are well-trained and qualified for the work of teaching in Ontario today. The staffs of our schools continue to work sacrificially, often giving well beyond the call of duty to offer a spectrum of activities, including intramurals, extracurriculars and other programs to benefit our students, including, by the way, special-needs programs and special-ed programs as they are required.

As administrators of Christian independent schools in Ontario, we are supportive of all initiatives to provide the public and separate schools of Ontario with adequate and appropriate funding. We applaud the increase in funding

proposed in the new budget. We acknowledge, at the same time, the need for all schools to be fiscally responsible. As independent Christian schools, our constituencies, working closely with a board and committees which closely monitor the financial actions of our schools, hold us highly accountable.

Let me summarize. Students who graduate from our schools do well in the schools and careers they encounter in the next steps of life's journey. They go on to be responsible and productive citizens and taxpayers of this province.

Our schools are fiscally responsible and highly accountable structures, with qualified staff and supportive communities. It has been our intent, and will continue to be our intent, to advocate for a strong public system. Independent school supporters want public education to be strong and dynamic, because all children, no matter where they are educated, are the future of this province. I remind you that Alberta, with the greatest range of educational choice and the most generous funding model for independent schools, still has over 90% of their students attending public schools, which by the way consistently rank at the top in academic achievement. There is strong and increasing evidence that educational choice improves education for all students.

Finally, our parents are exercising their obligations and rights as citizens of this province to choose the type of education they require for their children. The government's support of this is just and it's right. This is in accordance with article 26 of the United Nations' human rights declaration on education, which is attached, and the practices of much of the western world.

Members of this hearing, I believe the province of Ontario, and the education system in particular, will be enhanced by the proposal now before the Legislature of Ontario. The proposal to extend refundable tax credits to parents of independent and private schools is just and it's right, and, if for no other reason than because it's just and right, it therefore must be passed by this government.

Thank you for this opportunity to speak to you. I wish you great wisdom and great unity as you seek to serve the needs of all parents and children in Ontario.

The Chair: Thank you very much. We have one minute per caucus, and I'll start with the government side for a quick question.

Mr Hardeman: Thank you very much for the enlightening presentation. I want to go back to the question I had for the previous presenter, which was that this morning one of the public boards made a presentation that they believe the parental choice we're talking about could be achievable in the public system. What would be your comments on that?

Mr Hendriks: My comment would be rather blunt, that the government of Ontario and the Ministry of Education over the years and the courts in fact have made it very clear that the beliefs of Christians within the school system may not be taught as our parents require them to be taught. I think the phrasing there needs to be, "our parents require them to be taught." They need to be

integral to everything that occurs within the school system.

The Chair: The official opposition; Mr Phillips.

Mr Phillips: I use the government's brief on this which they prepared in some detail two years ago. It has a paragraph in here that is quite strong, and I'd like your opinion on it. It's very strongly worded. It says, "Extending funding would compound the problems of religious coercion and ostracism sometimes faced by minority religious groups in homogeneous rural areas of the province who would be faced with the choice of attending a full and directly funded school of the majority religion, where compulsory prayer and indoctrination is practised, or attend their own, virtually segregated, schools."

I want to make it absolutely clear that's the government's language. How would you respond to that?

1040

Mr Hendriks: As a Christian elementary school principal, it is my goal within our school to teach our children tolerance and love for every single citizen of this province. The fact that we teach out of our belief basis in no way reflects any of those kinds of comments and neither do our graduates become exclusionist or exclusionary as a result of the education they receive in our school. Frankly, I think the government is wrong in that statement.

Ms Churley: Thank you very much for your presentation. May I say that I applaud you for taking a position. Of course you would want to get this tax credit. I see you and many others, in this case, as a particular special interest group that this government said they would not cater to, but you have the right as a special interest to come forward and support this. That's what democracy is all about. I'm on the other side of this issue for a lot of reasons.

You mentioned in your presentation that you "strive to adhere to the general principles of the Ontario Ministry of Education." I want to ask you about accountability, because as soon as you start getting, as a private school, public money, you're not under a whole bunch of accountability structures that exist now. I don't have time to list them all. Would you be willing to become, as the public system is now, completely accountable in the same way the public system is? Because you're not right now.

Mr Hendriks: Before I would say yes or no to that, I would want to have a discussion as to how accountability takes place. We are a highly accountable school, to our parents, to the public schools we send our kids to eventually, to the workplace, to a board that is established. We are members of the Ontario Alliance of Christian Schools, which seeks to study all of the curricular requirements the government mandates for us. In many senses, we are already very accountable. However, I would acknowledge—

Ms Churley: But would you be willing to?

The Chair: With that, Ms Churley, we've run out of time, and I must bring the discussion to an end. On behalf of the committee, thank you very much for your presentation this morning.

ONTARIO ENGLISH CATHOLIC TEACHERS' ASSOCIATION

The Chair: Our next presentation this morning is from the Ontario English Catholic Teachers' Association. I would ask the presenter or presenters to come forward and state your name for the record. On behalf of the committee, welcome. You have 20 minutes for your presentation.

Ms Kathy McVean: My name is Kathy McVean, and I am the president-elect of the Ontario English Catholic Teachers' Association. With me here this morning are two members of our staff: Carolyn Stevens and Victoria Hunt. I believe you have copies of our briefs, and I would encourage you to read those. I'd like to make some opening comments and then leave some time for questions at the end.

First of all, I want to state upfront that the Ontario English Catholic Teachers' Association, or OECTA, believes very strongly in a publicly funded education system, and we do not believe or support any vehicle of funding for private or for-profit schools. We believe the fundamental responsibility of government is to ensure a fully and adequately funded public education system that is available to all children of the province.

The government has removed close to \$2 billion from the education system since taking power in 1995. That has happened despite growing inflation and growing enrolment during that same period of time. The government is now not meeting that fundamental obligation of providing a publicly funded education system. We know all too well about the crowded classrooms, the many portables, the lack of textbooks for our students and the diminished services for our special-needs students.

The idea of a tax credit suggests that either the government is taking money from an already cash-strapped system or is prepared to fund education beyond that which is necessary to adequately support the publicly funded system. As educators, we know the latter is not the case and therefore we can only assume that the plan must be to fund a tax credit system by taking money needed by the publicly funded system. We oppose any plan that may now or in future put in jeopardy that publicly funded system.

Our members teach in a publicly funded system, the Catholic system. It is fully accountable to the taxpayers and it's subject to all the rigours of the other publicly funded systems. We believe that the opportunity for Catholic parents to educate their children in a faith-based milieu has not only enriched the educational program for those students, but it has also enriched the entire educational system in Ontario.

We believe it's the right of all parents to choose a religious-based education system for their children, and so we do support the right to public funding for all faith-based schools. But any time there is use of public funds to support education, there must also be accountability and responsiveness to the community. In fact, this government has built its reforms on accountability. It's the hallmark of this government.

What do we mean by accountability? We mean the schools must be open for all students, regardless of their intellectual ability, their socio-economic status or their past behavioural history. We believe that any schools that receive public funding must teach the Ontario curriculum. We believe those schools must implement the standardized tests that are required in all publicly funded schools. They must be subject to all government legislation, including the Teaching Profession Act, the Human Rights Code and the Labour Relations Act.

We believe that any schools that have access to public funding must have teachers who are fully qualified members of the College of Teachers and subject to its standards and scrutiny. We believe that those schools must be open to full public scrutiny and any extension of funding to faith-based schools must be on condition that accountability structures will be in place. But the proposal by the government is that of a tax credit that's available for students who attend schools that don't meet those kinds of public scrutiny and public accountability, and therefore we're opposed to that kind of model.

We also believe that any funding that would be available for faith-based schools should be in the context of a publicly funded system, that is, the faith-based schools would be funded through government operating grants as the publicly funded school systems are, and that those grants be issued through one of the existing systems now. We know that there are models of that already in existence in Ontario, where religious schools do operate under the auspices of a public school board.

So we are urging the government to consider five recommendations that we are bringing this morning.

The first is that the tax credit plan be withdrawn as part of Bill 45.

Secondly, that the government allocate then sufficient time to debate this plan in committee. We see this as a fundamental change in the direction of education in Ontario. We believe it's absolutely essential that the public of this province have time to debate all the ramifications of such a proposal and possible options.

Thirdly, we're recommending that all schools that receive public monies be made fully accountable to the taxpayer.

Fourth, that the government extend funding to faith-based schools, and to do that in the context of the publicly funded system.

Our final recommendation this morning is that the extension of public funding to faith-based schools be on the condition that the schools have accountability structures which enhance and protect the common good.

Thank you for the opportunity and I'd be available for any questions.

1050

The Chair: Thank you very much. We have approximately three minutes per caucus. I'll start with the official opposition.

Mr Gerard Kennedy (Parkdale-High Park): I appreciate very much your brief today. I think it has been important for the balance of this committee. It has been

hard for us to achieve balance when the committee hearings are skewed. The government chooses a near majority of the witnesses. We have only this very short period of time in which to consider things. A lot of attention has been focused by the government's choice of witnesses on religion and on the need to have some kind of equity. I appreciate in your brief that you've set out what real equity would look like. In other words, something the government has not addressed itself to is, virtually you'd have to be inviting schools to be within the publicly funded system the way that Catholic schools are today. I just wonder if you want to elaborate a little bit more about how the present proposal doesn't offer that real equity in the terms that's it is being proposed.

Ms McVean: First of all, I think the tax credit that is being proposed is only a partial subsidy. It certainly is not going to help those parents who are not able to meet the balance of what would be required in terms of meeting tuition. That is very much an equity issue.

The other very serious concern we have with any operation of private schools as they exist today is that they have the ability to screen who they accept. High-needs students may be screened out. Students with particular needs may be screened out. In supporting the tax credit, it is taking money that is very desperately needed for those students in the publicly funded system. In a sense those students have a double jeopardy here. They really don't have access to those schools because, in many cases, they're not welcomed into them. At the same time, the monies they need in the public system are being diverted into another direction.

Mr Kennedy: If you look at the way the government has structured this—I guess it is deliberate; we heard yesterday the Minister of Finance had no research, had nothing to show about the impact of this—it is wide open. It is the most wide-open possible backdoor to public education. We think the government has that in mind. Maybe it doesn't know what it is doing, but it certainly plans to have a private, secular system to go with this. It could also harm existing publicly funded school systems, because it would allow for other spinoff schools and so forth, and it could undermine the constitutional protection that Catholic schools have enjoyed in this province. Would you agree with that?

Ms McVean: Absolutely. I think also an option is probably only going to be available to students who are in urban centres. It is not going to be available to students in rural areas, in northern areas and those places where there are no choices available now.

Mr Marchese: How much time do I have?

The Chair: You get three minutes.

Mr Marchese: You understand this is a tax credit. Because it is a tax credit, there are no obligations that come with it. The minister says, "Here's some money because we think you deserve it." All of you here are saying, "Wait a moment; there are educational implications." You already said it, so there's no point in repeating it, but I believe if they're going to do that, there should be some obligations that come in terms of the

consequences on the education systems. Do you think the government should come clean or say, "Yes, there are implications. We are going to have to address them"? Do you think before the end of this legislation they should deal with all those questions?

Ms McVean: I think there are two things the government needs to deal with, first of all, the adequate funding of the publicly funded system that is available to everyone without any limitations, and that system is not being funded adequately now. I identified some of the concerns that we have. Classrooms are very large, even an average class size of 24.5 means half of our classes are above that. That's what an average means. We have many students still in portable classrooms. We have many reports of students not having sufficient textbooks. We have 122,000 students in the Catholic system in combined-grade classes. The implications of that for their program are very serious, particularly for those students who are in the years where the testing is being done, in grade 3 and grade 6. That's our first major concern, that those children are losing out.

Mr Marchese: I want to tell you that New Democrats are not supportive of the extension of monies in this form, tax credit to private non-denominational schools and to religious schools. We don't believe in it. We believe in one inclusive system. We believe in a system that's open to all. I just thought I'd make that very clear for those who are watching.

By the way, just to support your opinion, Harris was very concerned about this, as you know. A year ago or so, he and Ecker both said that to fund religious schools would take \$300 million to \$500 million out of the public system. God bless him. He had the foresight to understand it. He also said that it would fragment society.

Ms McVean: He also suggested that up to \$700 million might come out.

Mr Marchese: It could be higher because, you see, they haven't done any studies, unlike OSSTF, which has a done a polling which suggests that 15% are willing to take this thing up, the tax credit. If that happens, we are talking billions of dollars. We hope it doesn't, because it will hurt our public system. Do you think the government should be obliged to do such studies before they get into such initiatives?

Ms McVean: Absolutely. I think they have a responsibility to the public to be accountable for any recommendations that they bring forward in the form of legislation, to be fully upfront with the public in terms of the implications that legislation will have for all members of the public, not just a particular segment.

The Chair: Thank you very much. The government side.

Mr Doug Galt (Northumberland): Thank you for your presentation. It's an interesting position that you people find yourselves in, with the Constitution that requires funding for a separate board. That's not necessarily true in other provinces. It happened to be when the Constitution came in and Ontario joined in.

It's also my understanding that OSSTF stands for one board in the province of Ontario, one school system in the province of Ontario, rather than the two. Your board represents one portion of the Christian faith. You're saying no to this tax credit which isn't money in the hands of the school board or the parent. It is a tax credit. It isn't a voucher. There's no money transfer. They get to keep a little more money in their pockets so they can spend it, and I'm sure that's what will happen. It will stimulate the economy like every other tax cut has.

But you also said you support other faiths. I'm confused as to the support that you have for education for other faiths if you don't support the tax credit. Would you support full funding such as the separate school system now has? What were you referring to? Would you take other faiths into your separate school board and train them there? I'm confused as to how you would support them.

Ms McVean: There are some models available in the province already where Christian schools are funded. They have access to the operating grants of the public school system. Those grants are funnelled through the public school system, but the schools operate with a degree of independence relative to the Christian aspect. I believe that they are all Christian schools at this point in time. We believe that a model like that could be looked at and expanded for other jurisdictions where there are a sufficient number of people who are interested in having one school centred around a faith base, whether that be a Christian faith, Jewish, Muslim, whatever. That money would be the same money that comes to all schools on a per pupil grant basis, that it be funnelled through a school board and that the same rigours of accountability be expected of that particular school as for all the publicly funded.

Mr Galt: So you'd welcome that into the separate school system?

Ms McVean: We are supportive of that.

The Chair: We've run out of time. On behalf of the committee, thank you very much for your presentation this morning.

UNITED JEWISH APPEAL FEDERATION BOARD OF JEWISH EDUCATION

The Chair: Our next presentation this morning is from the United Jewish Appeal Federation Board of Jewish Education. I would ask the presenter or presenters to step forward and state your name for the record. On behalf of the committee, welcome. You have 20 minutes for your presentation this morning.

Mr Seymour Epstein: Good morning. My name is Seymour Epstein. Ladies and gentlemen, I want to thank you for this opportunity. As an educator, I value this demonstration of democracy at work and praise you for arranging this dialogue.

1100

I am neither blasé nor cynical about the workings of government, and in that spirit I ask you to hear me

without prejudice in a non-partisan fashion. My message, I think, crosses traditional party lines. I have made a written submission, which I am going to read and elaborate on, and I have also included my biography because I think it's illustrative of something I want to state.

The UJA Federation Board of Jewish Education serves 19 Jewish day schools and 35 supplementary schools—those are weekend and afternoon schools—in the GTA. Each school is autonomous and administered according to its own ideological stream of Judaism, while the BJE offers tuition assistance to poor families, in-service training to educational staff and a variety of city-wide coordinating services. Here in the GTA, approximately 17,000 children and their parents benefit from our services, but I should point out that there are other Jewish day schools in Toronto and in three other Toronto cities.

While others will advocate in favour of the proposed refundable tax credit by reference to human rights and the great injustice of these past decades and yet others will search for a tax formula that properly effects the will of this historic bill, I wish to argue the case in terms of what is best for a mature Ontario and what will greatly benefit the public system.

Not to belittle the other issues referred to above, I must state that the injustice to non-Catholics who desire a faith-based education continues to be intolerable, a veritable stain on the multi-coloured fabric of Ontario society. Put yourselves in our position for a moment to contemplate what this means, not only financially but psychologically, in terms of our place in this province. It is also true that specific regulations will need to be drafted to ensure that Bill 45 is justly applied. These details are critical to the government's noble plan, but they are not my area of expertise. I would rather look forward to a different future for Ontario, in which the public system truly reflects our multicultural reality and where pluralism has indeed a plurality of interpretations.

Much has been said about public schooling in the past few weeks, specifically the threat that Bill 45 poses to the public system, as if there were a dichotomy between public education and all of the other systems. I come from an ancient tradition that pre-dates public education by a few millennia, but that from its earliest moments taught that we must "teach our children with great care"—that's in Deuteronomy. My own training is a blend of the best western pedagogics and the treasures of Jewish history and literature. My languages are the two languages of this great country plus the ancient tongue of my people. My early schooling was in a Jewish day school here in Toronto, a Toronto public high school and various schools of higher learning in the United States, Canada and Israel.

More importantly and to the point, the institution I direct, the Board of Jewish Education, serves Jewish parents who are invested in both systems. This is critical to understanding what I'm about to say. We have day school parents who have children both in Jewish day schools and other children in the same family who attend

public schools, and we have parents who send their children to after-hours supplementary Jewish schools and public schools for their general studies during the day. The Jewish community is an excellent example in microcosm of the attitude we would like to see all of Ontario adopt. I say that without arrogance. The public system can serve all of the public with the funds it receives from that public.

Am I, then, arguing for public education? Yes, emphatically, but a different version of public education than that we presently have. I would look to jurisdictions around the world—the United Kingdom, France, Sweden, Spain, even the new republics of the former Soviet Union, where I used to work—as examples. These jurisdictions offer the option to their citizens to use public education resources for general studies in whatever reasonable setting they deem suitable to their own ethnic or religious persuasion. The question posed these last few weeks regarding the threat to public education need not be answered defensively by noting that no harm has come to public schooling in all parts of the world where public funding for alternative schooling exists. That of course is true. The answer, though, is much more positive than that. I have worked in many of these countries and I can tell you that public education and the broad public itself benefit from the cultural mix. I cite an example from Stockholm where I used to consult. The public schools in Stockholm decided to give the Jewish community its own junior high, along with similar arrangements for other minorities in Swedish society, and it did so to enrich the fabric of Swedish society.

The example I often cite, the illustration I use, is that of the restaurants in Toronto. We Torontonians all remember the scene in the 1950s when Toronto the Good had a variety of tasteless eating establishments that offered mostly boring fare. Now that the Italians, Portuguese, Caribbeans, Chinese and every other nationality have graced our city with their presence, there is every possible culinary delight available around the city. Our schools could and should reflect that very same reality. That would constitute an authentic interpretation of the British North America Act for our own times. The public has changed; so should public education. It need not offer the same menu to all of its citizens, but rather a full spectrum of every taste spiced with the delights of every single culture and ethnic group in our fair province.

Much has been written about the hidden curriculum in the past few decades. To simplify a technical pedagogic term that anyone can understand, this refers to all that happens in a school that is not the overt act of teaching subject matter to students. If, for example, a school grossly underpays its teachers, the lesson learned by children is that teaching is not a high-status career. Another example is that students may learn more values from staff attitudes than from actual material taught in class. In many situations, the research shows that the hidden curriculum has a greater effect on students than the overt study program. Here, too, Ontario schools could be teaching tolerance, democracy, human rights, justice

and pluralism, but in fact acting quite differently vis-à-vis our minorities. As we all learned from that great Ontario educator Marshall McLuhan, the medium is indeed the message. The schools cannot teach justice in an environment which is unjust. It was our native Canadians who taught us that true empathy comes from walking in another's moccasins for a while. Put yourself in our situation for a moment to feel the injustice if you still doubt it.

This argument, however, is insufficient without a clearer definition of "pluralism," as I use it in this context. Webster tells us that the word means "the quality or condition of existing in more than one part or form." Some use the word to support a melting pot theory of society, in which all groups are encouraged to eat in the same restaurant. Certainly, the menu will be altered somewhat so that it will include a taste of most ethnic kitchens, but this approach demands a public system that teaches tolerance in one uniform setting only. While those kinds of public schools are desirable for the majority and should be encouraged to be as inclusive as possible, they do not serve every element of the tax-paying public.

That quality of existing in more than one form, as Webster puts it, is in fact a more inclusive kind of pluralism that teaches, in both substance and form, values beyond mere tolerance. It allows not only for parents who desire one setting for all, but also for good citizens who desire a specific milieu for the education of their children. I argue with great force that this is the true pluralism of the Canadian dream. It is not the melting pot of our neighbours to the south, but rather the colourful mosaic that brought our immigrant parents and grandparents to this great country.

As I stated at the beginning, I come from an ancient religion that has thrived on every part of the globe and throughout all eras known to us. In order to preserve that religion, its sacred texts, its language and its history, we have found it imperative to add many hours to the general studies curriculum of the ministry guidelines. We know that from millennia of experience, and we have established Jewish day schools around the world to preserve a learning environment that succeeds. One need only look at the graduates of these schools anywhere on the globe to see what contributions they have made to their people and to the world at large—Jews deeply rooted in their own traditions and citizens of the world. Those of us who believe in Jewish day schools know that if one is truly steeped in one's own culture, history, literature and spiritual values, then and only then can one see the value in the world view of the other. It is called mutuality in the world of philosophy, and it works best when both parties are, *comme on dit en français*, *bien dans sa peau*: confident, knowledgeable and comfortable in their own skins. This old knowledge we Jews have permits us to value both public education and the right to complement it in our own settings. It also obliges us to recognize this same right for Muslims, Christians, Sikhs, and any other group that knows the value of its culture for society as a whole.

1110

I want to end with a story. I'm reminded of a story my grandfather used to tell us in the 1950s. He was the man who adopted my orphaned mother when she arrived here from the famine in Ukraine in the 1920s. He thought of himself as a modern Canadian Jew. He once spotted a Jewish mother in High Park. This was probably just after the war, and she was in High Park with her son. Both the mother and the son were dressed in Orthodox European dress. The boy had ear locks, the Orthodox ear locks that some sects consider obligatory. My grandfather berated them in Yiddish, the language that Jews spoke in Toronto in those days, arguing that such dress was no longer necessary in 20th-century Toronto. The woman answered in accented English, "Mister, it's a free country."

And so I argue for a different kind of pluralism and a different concept of public education, not so very radical. It exists in many countries around the world—most, actually. It will be part of a growing 21st-century Ontario, and by educating future citizens, will help Ontario grow to full democratic maturity.

Thank you very much.

The Chair: Thank you very much. We have approximately two minutes per caucus, and I'll start with Mr Marchese.

Mr Marchese: Mr Epstein, I believe in the same things you do, but within a public system. I have never argued for uniformity in a public system, but rather for the kind of diversity you speak of. So I say, yes, diversity within a public system.

In that public system when I was a trustee, we defended the right to have the third languages taught in the public system, where many fought it. I must admit many fought it. Liberals, Tories and many in that system said, "No, this would be wrong. Kids wouldn't learn English." It was incredible. But we were teaching third languages in the Toronto board of ed. We introduced black studies, native studies, even labour studies, in spite of the objections of the Conservative trustee, who said, "Oh, my God, what's going to happen now?"

I think that diversity is beautiful and it should be taught and it should be addressed and it should not be uniformized simply because we have a public system. What I'm against is public dollars for religious schools and public dollars for non-denominational schools. If that is something that people want and it can't be gotten out of a public system, then that's a different choice people can make. That's my view of your comments.

The Chair: Go ahead. You may reply.

Mr Epstein: Briefly, I would say that it's good that we agree, but my sense of pluralism is broader than that. It is a pluralism that allows both for a very diverse public system—everything you said about the public system I agree with—but also allows for education within a specific milieu that I think will also enrich the fabric of Ontario's society.

The Chair: Thank you very much. I have to go to the government side.

Mr Hardeman: Thank you very much for the presentation. I was very impressed with the explanation of the need for the parental choice on the type of education for individual parents, as we talk about what is needed within the system. You talk about it being all part of a public system, but that parents can make choices as to the type of education they want, whether it be cultural, whether it be religion or whether it be some way of teaching. I would totally agree with that.

You also speak quite extensively about the fairness for all parents that this at least takes us some way in achieving by providing the ability for more parents—more medium- to lower-income parents—to make the choice of the type of education they want for their children.

Just quickly, a previous presenter we had this morning suggested that the present structure we have has the ability to accommodate the needs of parents who make these choices within the present system. As it was described by one group of presenters who represented a teachers' organization in one of the systems, to me it sounded like a charter school system, that in fact we could have a Jewish school within the public system, operating completely independently but operated through one of the other boards. Do you see that, under our present structure, as a possibility?

Mr Epstein: Under the present structure it would be difficult, but there's no doubt that the structure could be re-engineered to look that way. Of course, that is the system that is used in most western countries. It's feasible, and I think it would be part of a brighter future for this province, in education at least.

The Chair: The official opposition.

Mr Monte Kwinter (York Centre): Dr Epstein, thank you very much for your presentation. I was really quite interested in it because you bring a perspective that we haven't heard so far from those people who are from religious-based institutions. You refer to the Swedish model, and I'm sure you're familiar with the Bernard Shapiro report, which effectively promotes the idea that you can have these religious-based schools within the public school system. We actually have that happening right now in some areas. When we were in St Catharines last Friday, we heard of the Eden school, which is a Christian-based school. It operates in the Niagara school board and operates within that system. I don't think it would take a great deal of restructuring to do that; there just has to be the will to do it.

Do you feel this is something that would address your concerns and still keep the teaching of faith-based schools within the public education system?

Mr Epstein: At the moment, I would not want to diminish the possibilities of seeing the tax credit go through and have it applied as a first step in the right direction. But there's no doubt that in a broader scheme we could see a system that would be much more aligned with other western systems where the public system in fact serves both in terms of its own needs and in terms of the diverse needs of individual communities that require separate schooling.

That's the issue: communities that feel they require separate schooling to do what they want to do in their system. That's not a nasty thing. There's no dirty word involved there. All other jurisdictions that have this possibility see that as a positive sign and a sign of ethnic health, and I think it's possible down the road. Right now, we're dealing with a proposal that makes the system much more just and more fair.

The Chair: On behalf of the committee, thank you very much for your presentation this morning.

Before I go to the next presenter, according to the notice of motion, and I'll read the clause, it says that, "Pursuant to standing order 75(c), the Chair of the standing committee shall establish the deadline for the tabling of amendments or for filing them with the clerk of the committee."

What I'm going to suggest, if it's agreeable to the committee, and I'd like to have your input, is that we start clause-by-clause at 10 o'clock on June 20. I would suggest that all the amendments be filed by 4:30 on June 19 or earlier at 1405 in the Whitney Block. Is that agreeable with the committee? We have to give the clerk's office some time to process them that night. Is that agreeable?

Interjection: That's fine.

The Chair: OK, thank you.

ONTARIO ALLIANCE OF CHRISTIAN SCHOOLS

The Chair: I'll go to the next presenter, the Ontario Alliance of Christian Schools. I would ask the presenters to come forward and state your names for the record, please. On behalf of the committee, welcome. You have 20 minutes for your presentation this morning.

Mr George Smitherman (Toronto Centre-Rosedale): On a point of order, Mr Chair: Might I ask Mr Vanasselt to take an opportunity to apologize for the offensive comments he made on the issue—

The Chair: Mr Smitherman, I don't think it's a point of order.

Mr Smitherman: —when he referred to members—

The Chair: No, Mr Smitherman, it's not a point of order.

Mr Smitherman: —that homosexuality is not normal. I found that highly offensive.

The Chair: Mr Smitherman, it's not a point of order. You can deal with that in whichever way you will. I have to bring the committee to order, sir.

Sorry for the interruption. You have the opportunity to address the committee, and if you'd proceed with stating your name for the record, please.

Dr Adrian Guldemon: Good morning, Mr Chairman. My name is Adrian Guldemon. I am the executive director of the Ontario Alliance of Christian Schools. With me here this morning are Mr Vanasselt, our director of communications, Mrs Klammer to my left, who is secretary of the board of directors, and Mrs Lunshof, who is the treasurer of the board of directors.

They're here with me this morning to support our recommendation to this committee that you support Bill 45, and especially section 8.4.2, which is known as the equity in education tax credit. We believe this section of the bill deserves your support because it recognizes, after a long absence in this province's official education policy, the contribution of independent schools to the educational mosaic of this province.

1120

In our presentation this morning, we shall briefly elaborate on our motivation, rationale, and the benefits of this legislation in as much time as we have, and hope that we have some time for questions from the honourable committee members.

The Ontario Alliance of Christian Schools was established in 1952. We are a service organization that serves 74 schools across this province. These schools provide quality Christian education for over 13,000 students, largely from low- and middle-income families. We have provided the background on our schools in the appendix to the brief.

All of these schools are independent and have financial aid programs in place to assist families who otherwise might not be able to afford sending their children to the school of their choice. The schools in the alliance serve Christian families across the denominational and demographic spectrum. We have approximately 25 denominations represented in our schools.

Students from the entire range of ability and disability are enrolled in these schools. Graduates of the alliance system have a high acceptance rate at universities and colleges and have been making valuable contributions to the social, economic and civic life of this province for the last half-century.

The alliance has pursued the vision of educational justice for all children for the past 30 years. We have used a variety of means, from mass petitions, such as the one you heard Mr Hendriks refer to earlier this morning, to various kinds of court actions and by various kinds of grassroots mobilization.

Our goal has remained constant. We have endeavoured to achieve equal educational recognition for all educational options, as well as financial equity with educational integrity for all the schools. Hence, we are on record as proposing partial funding in return for operational independence.

For the alliance, the primary motivation for advocating justice for all parents and students is the need for proper recognition of faith-based education in Ontario's post-modern educational environment. We believe that a mosaic of educational choices is consistent with basic Canadian values. In fact, we assert that the principal values of the Canadian charter mandate a public policy of school choice. Furthermore, we take the view that the values underlying the charter freedoms constitute a basic value system that should be central to all schools in the country.

Our own vision of this is probably most succinctly summarized in the Canadian Bill of Rights, which I have

included in the report and which I won't read. I'm sure you're all familiar with it. But it places special emphasis on the role of the family, free institutions and moral and spiritual values as the basis for rule of law in this country. That has been our inspiration for the ideals of justice, diversity and community which we have been pursuing.

We recommend timely passage of Bill 45 because we believe it's good public policy and because we believe it's good educational practice. Both of these are based on our view of education. The educational process is essentially a moral process which involves values, beliefs, principles and theories based on philosophies and world views. It's not just a technical information-gathering process; rather, it's a personal process which shapes souls and minds of students. We believe students and families have a right to determine that for themselves. That's why we believe the government's approval and support for the principle of parental choice is a fundamental public good.

I want to elaborate on that public good as a policy principle for a moment, if I may. We believe the tax credit proposal is consistent with the government's stated educational vision of providing opportunity, excellence and accountability, as outlined in the recent throne speech. We also believe the government's laudable reform of funding students and not systems fits with the character of this proposal. By providing parents who have made a prior commitment to educational choice with financial relief, the government has avoided the problem of having it spent elsewhere. The money parents will receive from the tax credit is money that has already been spent directly on the education of their children.

The tax credit complements the government's effort to encourage increased parental participation in education, regardless of the geographic or socio-economic status of the parents. All political parties around this table have made statements noting the importance of parental involvement in the education of their children. This tax credit ensures more parents will have that opportunity.

The tax credit also confirms Ontario's commitment to the highest principles of democratic freedom and human rights, responds positively to the ruling of the United Nations' human rights commission, and puts into action the wishes of a large majority of the population.

By providing room for independent schools to meet accountability standards on their own terms, we believe it achieves the democratic ideal of providing standards of literacy, numeracy and civic-mindedness for all schools in this province. Since their establishment, alliance schools have a half-century history of meeting and exceeding ministry expectations. Institutional diversity in education is a verified good, as the Edmonton Public School Board history has demonstrated.

In short, we believe the democratic ideals of freedom, creativity, diversity and choice, all of which are basic to a healthy society, will be advanced by this proposal.

In view of my problem with a cold, I'm going to ask John to make a few remarks about the debate that has been taking place.

Mr John Vanasselt: Mr Smitherman, if offence was taken from my earlier comments, I apologize; none was intended.

In the course of the public debate on this issue of school choice, there have been many inaccuracies and a certain amount of misrepresentation on the part of those opposing the tax credit. In the interests of clarity and precision, we deem it important to address a few of these issues.

There is no evidence to show—and others have repeated this—that government-supported choice of schooling is harmful to public schools. To the contrary, there is a growing body of evidence that all schooling improves when parents have the opportunity to choose. Throughout the western world, governments provide funding for parents to choose where and by whom their children will be educated, all the while maintaining strong commitments to dynamic systems of public education. The alliance is pleased with the government's stated commitment to quality public education, thereby preparing all children for a life of responsible citizenship. All children deserve the support of their government.

The tax credit initiative is not a voucher program. Even when fully operational, the tax credit requires parents to make a significant financial commitment by way of tuition paid prior to claiming the tax credit. The Ontario Alliance of Christian Schools does not believe this tax credit will result in a drastic increase in enrolment for its schools. Most parents truly desiring a Christian education for their children have already made that choice and the accompanying sacrifice.

Education funding is not an either/or issue pitting independent schools against public schools. We are pleased with the government's commitment to maintain full funding, and we view parental choice as enhancing the educational landscape in this province. We agree with the Alberta Task Force on Education, which stated that choice of schooling is a public good. It is intrinsic to democratic society that choices in all areas of life, including education, be available to everyone. Christian-school-supporting communities have contributed to society and lived side by side with everyone else in this province for the last half-century. Fears of social fragmentation are irrational.

Contrary to statements on the fairness of the tax credit, we believe that low-income families with more than one child enrolled in an independent school will benefit most from this initiative. Under the present system, the benefits of the federal charitable credit decrease significantly with each child enrolled in one of our schools, to the point where a three-child family receives no benefit at all.

Contrary to charges that independent schools are not accountable, we note that even without funding there has been a greater amount of Ministry of Education involvement in Ontario's independent schools than in the funding provinces.

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As you know, in order to receive a graduation diploma, our students must take the grade 10 literacy test,

and our schools are inspected annually—and usually twice a year—by ministry inspectors. We recognize the government has a role to play in establishing standards for all education, thereby protecting the public interest, but we respectfully point out that the direct market accountability of paying parents is significantly more stringent and effective than anything required of public education. We've alluded to these evaluation procedures we have in place in other situations.

Insofar as the American scene has been brought into the debate by the opposition, we note that, as of the present, 37 states have passed some form of school choice legislation, most of it during the last five years. In the United States, there is a renewed awareness of the notion that democracy is better served through parental choice of schooling. There is simply nothing that suggests the sky is falling in western democracies. Quite the opposite: school choice is expanding.

In summary, the Ontario Alliance of Christian Schools views the equity in education tax credit as one important element in the education reform which has been underway since this government took office. We firmly believe school choice is an effective means of improving education for all children of this province and strongly support the passage of the refundable tax credit as it was presented in the May 9 budget. Thank you.

The Chair: That completes your presentation?

Mr Vanasselt: Yes, it does.

The Chair: We have approximately two minutes per caucus. I'll start with the government side.

Mr O'Toole: Thank you very much for a very important presentation. Just to remark, I know you've worked very hard for many years for what you consider to be an equity and fairness issue. I was very intrigued by two or three presentations yesterday and today: one of them, by the way, was from the Toronto District Christian High School; the one the other day was from children from Hamilton, just a remarkable group of students who made a presentation; and yours today. What struck me as important—and to make sure it is clearly understood by the public who are pretty much engaged in this debate—is the whole issue of public dollars and accountability. I'd like you to comment on that.

What percentage of teachers are certified and, in that view, qualified? Quite obviously, there are those reckless few who try to characterize the just-us system as the only system. They discredit you by saying you don't have certified teachers, you're not inspected, you don't teach to standards and you discriminate against people. They marginalize you. You need to respond to that as clearly as possible and as openly as possible, because all of this is now part of the public record which legitimizes why you have an absolute right to be here in an equitable society.

Mr Vanasselt: Three fourths of the teachers in the Ontario Alliance of Christian Schools belong to the Ontario Christian School Teachers Association. They are also members of the Ontario teachers' college, so they have Ontario teaching certification. The other fourth is

qualified and certified through different jurisdictions. Some of them have been educated in the States, and they haven't gone through the process of getting this transferred over to OTC. Some of them are educated in Alberta. But our schools—qualifications are right at the top of the list.

With respect to the types of students—you mentioned earlier that we distinguish on the basis of students' abilities or disabilities—we have students right across the range of disabilities and abilities in all of our schools. We have a series of special education programs in place right across the province. We offer to the same, and maybe even a larger, socio-economic spectrum than any individual school might in other systems.

Mr Smitherman: A moment ago you took an opportunity to say that if there was offence taken to your remarks, none was intended. I find it shameful, sir, that your half-hearted apology goes only that far. Of course offence was taken. You stood in a room not far from here and said that I'm not normal because I'm a homosexual. I'd like to say to you that, as a gay man, I've experienced a lot of the word of God thrown back at me as the gay community has fought for equality. I'd prefer to take the view of God as a loving and inclusive God. Regrettably, too many times, the Christian community for which you are a lead spokesperson has not taken that view. I'd like to ask you, in light of that, why should public dollars be offered to you, indirectly at least, so that you can continue to promote views which are contrary to defined Canadian human rights?

Mr Vanasselt: My view of God is the same as your view of God, a kind and loving God. We teach our children in each of our schools that by virtue of being created in the image of that kind and loving God, they need to respect and honour each and every individual. That happens in our schools. You can find it in the curriculum of our schools.

In terms of public dollars, I believe that the issue here is school choice, parental choice and that this government has seen fit to put education back in the hands of the parents, those who are primarily responsible for educating their children, that those parents can be trusted to make good choices for their children and that their children can get an education that will prepare them to live a full and responsible life of Canadian citizenship.

Mr Kennedy: Mr Vanasselt, you've referred now to the Premier and the Minister of Education as irrational; in your presentation, you said anyone who talks about fragmentation is irrational. The Premier, the Minister of Education, the government of Ontario said, in their report to the United Nations, that funding of this nature would result in fragmentation and disruption of education in Ontario. I just wonder how you can reconcile that view that the Premier expressed in a letter about a year and a bit ago, that fragmentation would result, that this was what would happen if you funded private schools. I wonder if you can tell us. You are now characterizing the Premier of this province as irrational in that particular view. Is that the correct interpretation?

Mr Vanasselt: I don't believe I identified anyone.

Mr Kennedy: "Fears of fragmentation are irrational." It is a written statement in your—

Mr Vanasselt: Yes, I stand by the statement. Gerard, our children live, figuratively speaking, side by side all over the province.

Mr Kennedy: Just the statement is what I was wondering—

The Chair: Mr Kennedy, you posed the question. I think you should give the presenter—

Mr Vanasselt: We play in each other's backyards. We swim in each other's pools. We play together on sports teams. When we get older we work together at McDonald's and Canadian Tire. There's no fragmentation. You put too much emphasis on a particular school or system in terms of social cohesion here. It takes place all over society.

Mr Kennedy: I was asking you about the characterization—

The Chair: Mr Kennedy, we've run out of time. I have to go to Mr Marchese.

Mr Marchese: How much time is there again?

The Chair: A couple of minutes.

Mr Marchese: I've got a question here because it concerns me. I'm reading from a publication. Nexus is published by the Ontario Alliance of Christian Schools. It says at the top of this page here, "The Christian sees the world differently from the non-Christian world view exemplified in the ministry curriculum perspectives." Clearly your perspective is different from the one that is in the ministry curriculum. That doesn't bother me so much, except that there are two different world views that we are talking about.

The other one is, "The Toronto District Christian High School, along with other independent schools, rejects the intrusion of a government-imposed curriculum." They say they should put out some basic guidelines, however, "The government may not dictate the contents or the religious philosophical direction of that instruction. Only totalitarian governments attempt to invade the minds of the citizens," says this other statement of purpose.

My concern? In our public system, the one I support, the one public system that I support, when we get direction from the government, we have to live by it. They tell us what we will do about report cards, about testing, about programs and about curriculum. There's no choice. Am I to understand from you that you want that choice? You want to be able to take the money and then be able to do what you want. Or would you abide by the same principles that we all abide by in the public system?

Mr Vanasselt: We believe definitely that there ought to be standards. The public interest has to be protected. The standards ought to be outcomes: What does it require? What do students have to learn in order either to continue their education or to become productive members of society, whether they go to work or in the home or wherever they happen to go?

That's what schools are responsible to teach. Whether they teach it from a Christian point of view, a Jewish point of view, a secular point of view—as the courts have

required of the public schools—or a Catholic point of view, that's immaterial. The issue is that there are standards of literacy, numeracy, civic-mindedness and the participation in this country that is required. Our students more than meet those expectations—

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Mr Marchese: I understand the idea. Your notion of outcome I understand. I was just reading very clearly that you reject the intrusion of government-imposed curriculum, and the other one says that we see the world differently and the one exemplified in the ministry of curriculum perspectives is obviously contrary to what you have.

I understand outcome, but I'm saying you're rejecting that. What you're saying is, "We want to do be able to do what we do and as long as we need some outcome, then butt out," is basically what you're saying to the government. But you don't mind getting financial support from the government.

Mr Vanasselt: No, we're not telling the government to butt out. We believe the government has the right to establish standards and we believe our students ought to meet those standards.

The Chair: With that, Mr Marchese, we've run out of time. On behalf of the committee, thank you very much for your presentation this morning.

TORONTO BOARD OF TRADE

The Chair: Our next presentation is from the Toronto Board of Trade. I would ask the presenters to come forward and state your names for the record. On behalf of the committee, welcome, and you have 20 minutes for your presentation.

Ms Elyse Allan: Good morning. My name is Elyse Allan and I am president and CEO of the Toronto Board of Trade. With me today is Terri Lohnes, who is staff economist with the board.

Thank you very much for the opportunity to appear before this committee during the consultations on Bill 45. We're pleased to be here today representing Toronto's business community and to speak in support of actions contained in Bill 45 that we believe will benefit Ontario. The Toronto Board of Trade represents all sizes of business across all sectors of the economy.

I had the pleasure to present the board's priorities for the 2001 provincial budget to this committee back in February. At that time, the board put forward a strong platform for urban renewal. This platform called for reinvestment in our urban centres, notably Toronto, and called upon the province to move forward in creating an environment within which urban centres could thrive.

This was based on several components, including investment in infrastructure such as public transit, roads, culture and housing, increased flexibility for municipalities and the continued pursuit of a fiscal agenda of aggressive tax and debt reduction.

The last point also resonated with the work of the Ontario business tax review panel, on which I was a co-

vice-chair. The panel had the opportunity to hear from businesses across the province on what they saw as necessary actions to support continued business growth and to attract international global investment. Taxes came up repeatedly, from the independent, small business person to the large corporation, from Toronto to rural and northern Ontario.

It was clear, then, from what the board has heard from our members and what the panel heard across the province, that more had to be done to foster a positive growth environment for Ontario on a tax basis. It is in specific relation to this point that I'll confine my remarks on Bill 45 on behalf of the Toronto Board of Trade.

On taxes, the Board of Trade's 2001 provincial budget submission concentrated both on corporate and personal tax competitiveness. Our recommendations on the corporate side included, first, legislating the implementation of the announced corporate tax reductions such that the 8% corporate tax rate is reached earlier than 2006 and, second, the elimination of all Ontario capital taxes.

The Toronto Board of Trade was supportive of Minister Flaherty's announcement in the May budget that the government would be moving on these recommendations. Bill 45, under part IV, specifically sets out these commitments and is welcomed by the business community.

The amendments to section 38 of the Corporations Tax Act, by legislating a time frame to move the general corporate tax rate from 14% to 8% by January 1, 2005, will provide Ontario businesses with greater tax certainty. As the board stated in our submission back in February, actual corporate tax reductions are much more of an investment incentive than proposed ones.

This time frame will now provide the certainty that's needed by businesses to plan their investment in Ontario, grow their businesses and, of course, create jobs.

The associated amendments to section 34 of the act are also welcomed, as it pertains to the competitiveness of the manufacturing and natural resources sector. The ultimate result is that by January 1, 2005, the general corporate tax rate and the rate for the manufacturing and natural resources sector will be equalized at 8%. This is long overdue and provides a much fairer tax platform for all Ontario businesses.

The board was also pleased to hear the Minister of Finance comment specifically on the negative impact of capital taxes on investment and job growth in Ontario. We have long advocated for the elimination of capital taxes because of their distortionary effect on investment. These types of taxes are profit-insensitive and are somewhat unique in Ontario. They are taxes our businesses simply do not face in other jurisdictions. They must be eliminated. As I mentioned earlier, this was reinforced throughout our consultations across the province with the Ontario Tax Panel.

The amendments to sections 62, 68 and 69 of the Corporations Tax Act signal the government's intention to reduce job-killing capital taxes. We had called on the government to announce a plan for the complete elimination of capital taxes in Ontario. We still believe

this must be a strategy for Ontario. We will continue to advocate strongly for such action.

As such, while we support these amendments as a short-term measure to reduce capital taxes, the board believes more aggressive action must be taken by the government in the future. At a minimum, the government should move to eliminate the differential in capital tax rates between financial institutions and other businesses in Ontario.

The Toronto Board of Trade also made specific recommendations on personal income tax reductions, notably around the need to reduce the surtaxes on upper incomes. As long as Ontario continues to levy surtaxes, the impact of the tax reductions implemented to date will not be realized for many taxpayers in Ontario.

At a time when marginal tax rates at all levels of income are dropping across the country and south of the border, Ontario must ensure that its top marginal tax rates are competitive. The current surtaxes do nothing to stem brain drain, nor do they enhance wealth creation opportunities for Ontarians. Simply put, the existence of these surtaxes is a barrier to competitiveness.

The federal government has eliminated its existing surtaxes as of January 1 of this year, and the board was encouraged to hear Minister Flaherty announce in the May budget that the province will start eliminating the surtaxes for Ontarians. The amendments to section 3 of the Income Tax Act, contained in part VII of Bill 45, serve as a first step in that process.

If at all possible, the board urges the government to speed up the implementation, such that this amendment becomes effective for the 2002 and subsequent tax years instead of 2003. We will continue to press the government for complete elimination of the surtaxes so that all Ontarians receive the full benefits of the tax reduction actions.

I would also like to speak favourably on the amendments to section 4 of the Income Tax Act that further reduce the tax rates for the lower- and middle-income tax brackets. Continuing the tax reductions is a necessary action in building Ontarians' competitiveness.

In closing, I would like to support the amendments to the Ontario Property Assessment Corporation Act, 1997, that were contained in part XIV of Bill 45. The board had the opportunity to submit recommendations to the review of OPAC undertaken by the Chair of this committee earlier this spring.

A key recommendation made at that time was the need for representation from the property taxpaying classes on the board of directors of the corporation. The changes to subsections 3(2) and 3(3) that change the composition of the board to include five representatives who represent the interest of the property taxpayers—we believe those recommendations are significant. This will imbue a more balanced representation on the board and greater transparency for property taxpayers.

We look forward to working with the reformed corporation to ensure the property tax assessment process is fair for all classes of taxpayers.

Thank you. I'd certainly now be pleased to take any questions.

1150

The Vice-Chair: Thank you very much for your presentation. We'll start with the Liberals. We have just a little over two minutes for each caucus.

Mr Kwinter: Thank you very much for your presentation. I was interested in your strong position on how competitiveness is really related to tax, both personal and corporate, and capital tax. I notice that notwithstanding that the government has made some movement to do something about it, you feel that isn't enough or soon enough, and that if it were done sooner you would be more competitive.

One of the things that the Treasurer announced when he read his budget is that he's really getting to the point where he hopes that the corporate tax structure in Ontario will be the lowest in North America, in some cases fully 25% below what our competitors are. How do you feel about this race to the bottom, where it is quite feasible that the other jurisdictions aren't just going to sit there and watch it happen, and if they really feel it's a competitive disadvantage, they will match or better what the tax reduction is here?

Ms Allan: That's a great question. I think one of the challenges we have is how to make a competitive statement for our province. Just as when we think about businesses competing for market share, in some way we're competing constantly for global capital investment. So the question becomes, have we got a total package that achieves that competitiveness, or do we try to take certain specific areas and achieve a point of distinction? I think that continues to be the challenge that we have probably in the area of tax regime. For many years, we were not even in the game—we were barely in the race—as so many jurisdictions were moving well beyond us in terms of redefining competitive tax levels. What we applaud is that we have noted that we had a serious competitive problem. We have taken strong action to be in the game and to be competitive.

I think whether or not we can or need to be first continues to be a challenging question, because on what basis are we making that definition? It's not just corporate tax; we have the whole situation of capital tax. While the corporate tax rate may be competitive, we still have significant capital tax which most jurisdictions don't have. As well, we still have a personal income tax rate that is not competitive relative to what is in the States now and is happening. We can't look at one component; if we can achieve leadership in one, that might help offset areas where we're third or fourth or fifth relative to other markets.

The Vice-Chair: Thank you very much. We'll move on to the third party.

Mr Marchese: Ms Allan, you would know that the cuts to education have been in the order of \$2.4 billion, elementary and secondary. Cumulatively, the cuts to the post-secondary level have been \$1.2 billion. Our health care system is in a shambles, to the extent that this

government is looking at putting everything on the table, meaning that they want to privatize more; 35% already is. It's incrementally increasing, and it will increase more by way of moving it to a privatized system. We have a social service in this province that is diminishing by the year. Home care is disappearing. We're in trouble in terms of being able to hire nurses: we're not going to have them, and the need is tremendous. Anything you can think of—labour, environment—we're in trouble, and by the end of this next year we will have given out \$12 billion in individual income tax cuts and corporate tax cuts. Who do you think should be paying in this province in order to have decent health services, a decent educational system, a healthy environment, healthy labour? Who do you think should be paying?

Ms Allan: At the end of the day the taxpayers pay for everything, but I guess the question becomes how we're allocating those. If we are going to continue to have a healthy tax base which allows us the opportunity to invest in these various areas, we need to ensure that we have a competitive jurisdiction that attracts business here and attracts capital investment.

So I guess our first premise is and has been that we need to ensure that we have a strong and healthy competitive fiscal environment so we can enjoy the quality of life in the areas of health and education that we all want to achieve. Because if we don't get the tax base here first, the rest becomes a moot discussion. So, our first and foremost is to comment on that.

Second, as we said in our provincial budget submission, though I don't believe it's relevant to Bill 45, we specifically appreciate that the needs we have far exceed what the government can pay in any one area. That's why we continue to endorse the strong application of public-private partnerships, so the private sector can participate, and that means we need a strong fiscal environment so that we have a healthy, willing and strong private sector to participate with you in sharing the costs.

The Vice-Chair: OK, we'll move on to the government side.

Mr Hardeman: Thank you for the presentation. First of all I want to say I would have been quite surprised if you had agreed to the comments made by Mr Marchese about, "Did you know all these things?" because in fact they are not the truth. Spending in education has been going up; spending in post-secondary education has been going up. So I would have been surprised.

I appreciate the presentation that you made, particularly as you relate that you've also been involved in pre-budget consultations, to give advice to the minister on what would help create that environment in Ontario that would add further investment to create more jobs, to create a larger economy that could support all the things that the members opposite want to point to: a quality education system and a quality health care system. I appreciate your involvement there, first of all, and I thank you for that. That is what makes good budgets, when you get advice from all the people of the province. Then the minister puts it together to achieve those goals.

I was a little concerned or I didn't quite understand your comments about surtaxes, though I strongly support their removal, as the minister has done in the budget. You suggested that because some of them still exist and shouldn't, those people were not seeing the benefit of tax reductions. I wondered if you could explain to me the connection there.

Ms Allan: Why don't I ask Terri? She loves this area.

Ms Terri Lohnes: I guess what we're saying with respect to that comment is that while you have the general personal income tax rate reductions, you still have the surtaxes that apply to what could be considered middle- to upper-income levels. So in effect it acts almost as a clawback on the tax reduction. If you're looking at top marginal tax rates, which is where our concern rests when we're looking at trying to attract talent to corporations, to businesses, trying to attract the type of professional skills to Ontario and for our interests to the greater Toronto area, you need to make sure that the top marginal income tax rates are as competitive as possible, and what the surtaxes do is actually create a bit of a distortion with respect to that, and they're not as competitive as they could be. So while the general rates, yes, have gone down, when you implement the surtaxes on top of them, that actually increases the top marginal tax rates.

The Vice-Chair: Thank you for your presentation. It's much appreciated.

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VICTORIA PARK SECONDARY SCHOOL COUNCIL

The Vice-Chair: The next presenter is Sue Lockington, chair of the Victoria Park Secondary School Council, if she would come forward now. You have 20 minutes for the presentation and questions and answers. Whatever is left over after your presentation will be divided three ways between the three caucuses. I'd appreciate it if you'd state your name for Hansard. The time is yours.

Mrs Sue Lockington: My name is Sue Lockington. I have three children. My oldest son has finished high school, my daughter is graduating from grade 13 in a few days and my youngest son will be in grade 12 this fall. As a parent, I can honestly say that I have seen the impacts that public education has had on my three children from senior kindergarten to grade 13.

I am here on behalf of our school council at Victoria Park Secondary School, where I am school council chair. Having spoken to many parents, I am hearing the same message over and over again: "Please do not pass Bill 45, which gives a tax credit to those parents who choose to send their children to private schools."

We have three main concerns. The first is destruction of the public education system; the second is increasing social intolerance; and the third is inequity.

A person's religion is a private issue. We should not reward those who choose to place their children in the

private system. It is your individual decision and we, the public taxpayers, should not be paying for your personal family choice.

We are concerned about the potential for social intolerance and racism that might develop with many different private religious schools. Bill 45 has the potential to allow different interest groups to segregate their children from others. We live in a very diverse multicultural society of which we are very proud. We have watched our children go through the public school system learning the cultural backgrounds of many different ethnic groups. It was amazing to see the wonderful acceptance that our children have for one another as they pursue their education. Even if they could not communicate with their language skills, they always found a way to play and make friends. It didn't seem to matter what colour your skin was, or what language you spoke. It has been a very healthy environment, where our children have learned to be tolerant of one another, they've learned about their differences and they've accepted each other for who they are as individuals. Currently, children of all creeds, races, religions, nationalities and economic circumstances mix and mingle in the public education system. This experience gives them a chance to outgrow the prejudices and intolerance that we in older generations may still harbour. Bill 45 is a strategic mistake that will ultimately foster a breakdown of our social and civil society.

The Conservative government's platform did not include what is outlined in Bill 45. As a matter of fact, Premier Harris and Ms Ecker stated that they did not agree with the tax credit concept in the past. The government seems to be in a hurry to push this bill through and make it law. But are they really taking into consideration the views of all taxpayers in the province of Ontario? We feel a referendum needs to be held on such an important decision. Have all the questions and angles been covered to determine the impact that this bill will have on the future of public education? Are students the main focus when these decisions are made? What is in the best interests of every student in the province of Ontario?

If the government is going to get involved in the private school situation, then the same rules should also apply to all schools. All teachers and students in Ontario should be tested and have to respond to the new system of continued education, whether they teach or attend private or public schools. We are also concerned about losing our very best teachers to the private schools, where the same rules don't apply at this time. At this point in their careers, less hassle and more respect are priceless.

No one really knows how many private schools might open. What is really going to happen to the validity and respect of the public education system? If we keep taking money out of the system, how can it survive and keep up with the ongoing challenges we as parents expect of the public school system?

The public education system is supposed to give equal opportunity for everyone, regardless of society status,

income, race and colour. We are concerned about money being taken out of the public school system as students leave to go to private schools. We should not be funding those who can afford to send their children to private school. With all the problems that the public school system has had since Bill 160 and Bill 74 were passed, many people are beginning to doubt the integrity and professionalism of the public education system. Bill 45 facilitates and encourages parents to take their children out of the public schools. How can public education compete with private schools when we have had so much money taken out of the public education system? Our public system is in turmoil, and we need the government to restore funding so we can provide our children with the best public education system in Ontario. Our teachers need to be held accountable, but they also need the appropriate time to teach the new curriculum and have time to do the extra curricular activities which our students so desperately deserve as part of their total educational experience.

In conclusion, I would like to say that Toronto is unique and our needs are different. Each child needs to have the same opportunity to learn and excel. Our public education system provides equality for all families.

We can have the best public education system. Parents want a strong and vibrant public education system, and we know we have to pay for it. Our children are worth it. Children are the future of Ontario and our most valuable asset, just as teachers are the most valuable asset of the public education system. Our government's agenda determines the quality of our public education system. Obviously they are not putting our children's best interests as number one. Saving money should not undermine the importance of a good-quality public education. We encourage you to make the right decision. Please reconsider the effects of Bill 45. The Taxpayers of Ontario need to be heard.

The Vice-Chair: Thank you very much for your presentation. We have about three minutes left per caucus. Mr Marchese.

Mr Marchese: Thank you, Mrs Lockington, for your presentation. I found something very curious about what this government has done with respect to this and wondered if you find it equally curious. Minister Flaherty came here yesterday and said he's heard from parents who say they want an education in their own culture and in their own religion. I found that very curious, because what he was saying is that we want to give them choice. They've been calling for that and we want to give them choice.

I contrast that with the fact that this government has eliminated all references to words such as "equity" in the new curriculum. They don't like it, presumably. Then they eliminated the anti-racist secretariat. They eliminated the Welcome Houses, those houses which used to receive new immigrants. They got rid of the ESL funding that was in the Ministry of Citizenship. The heritage languages we have on the Toronto board are about to disappear because there's no money to support them.

All of those things that respond to our differences—cultural, to some extent religious—yet this government has found somehow some new religion that says, "We've got to respect education and it's got to be done in their own language and culture."

Do you understand? Because I don't. Do you understand what this government is doing or what may have happened to them, for taking a new course altogether?

Mrs Lockington: I think at the present time it's what the government's agenda is and it's to save money. That seems to be the bottom line in everything I see. I'm concerned about, are students really at the forefront of your concerns when you make these decisions on the education system? I really think that you need to look at what the future is going to be for our children.

I can honestly say that I'm glad our three children have gone through without the prejudices, without concerns about people being different. I think it was very healthy for them. A lot of their best friends are of different ethnic backgrounds. At the formal that was held last week it was so nice to see all those wonderful grown-up kids accepting one another, making wonderful friendships. I guess we're concerned that that's in jeopardy.

Mr Marchese: Can I ask you—

The Vice-Chair: Just a little more, another 30 seconds.

Mr Marchese: Yes, just quickly. We used to be able, before we went to hearings, to divide the choice of deputants equally between the three parties. It was one third Tory, one third Liberal, one third NDP, and another third was appointed by the Chair, simply at random. We thought it was a fair process that we've adopted over the long years that they've been in government. All of a sudden this government has changed—

Interjection.

Mr Marchese: A third each between the three political parties, and another third, I said, the Chair's—four quarters.

What this government has done is to have decided that that wasn't good enough. What they have determined, because they have a majority, is that they should have a higher number of people that they select to come before this committee. So they have half of the selections now, and we have the other half. Do you think that's fair?

1210

The Vice-Chair: Thank you very much, Mr Marchese. Time is up. For the government side, Mr O'Toole.

Mr O'Toole: Thank you very much, Ms Lockington. I appreciate that. I could relate very much, as I was watching this on a television. I wasn't here, but respectfully—you made some points that I felt—I'm a parent as well, of five children. My wife is a teacher and I have a middle daughter who is a high school teacher. I see society changing. The pressures and demands certainly make challenging times in education.

I think a lot of the children are being deprived right now as part of a political argument, really. They are kind of hostages, really. It's unfortunate. It's not your fault or

individual teachers' fault, but it's not right. I'd say that intolerance right now is almost being taught in the classroom. It's almost militarized. Could you comment on that? You're involved as a parent in a school, on a school council. The tension sometimes is almost uncomfortable. I still go around, because I spend much of my time, much like you, as a parent-teacher association person. I see lineups at the bulletin boards there on little demonstrations. It's not healthy. Is there anything we can do?

This is just one more thing. They don't want any access to the public at all, in my view. This is part of playing that out. Perhaps you could comment on this, not just social intolerance right now but how come the public system has sort of got the fortress mentality somehow? They did it with the Liberals, they did it with the NDP and they're doing it with us.

Mrs Lockington: If I look at the students at this point, I think the students have been very mature through this whole situation. Still, at this point the morale is low, for sure. They feel they have been neglected, because they haven't had their extracurriculars, all the labour disputes, everything that has been happening. Yet they still are so mature about it. High school, to me—I lived for sports. That, to me, was wonderful, whereas for another student maybe it was the music program. Everybody has their different interests. For a student in the music program, if they can find their niche where they feel comfortable and make their friendships, they can survive through the system. But everybody has different interests.

I have to say I'm very happy to see how the kids have handled it. I don't know if I could have been as mature, because I sort of look at it as, if I were a student now in the system, knowing what we have lost—it's criminal. I think that's why I feel so badly about it.

Mr Phillips: Just to disassociate myself from the comments of Mr O'Toole, I do not believe teachers are teaching intolerance in the classroom.

The thing that we find curious—by the way, thank you very much for being here and for the work you do as a volunteer to help the students. It was just two years ago that the government prepared quite an extensive brief arguing strongly against extending financial support to private schools. They used language that I found—in many cases I was very supportive of the language. They said that in their view extending it “would undermine the ability of public schools to build social cohesion, tolerance and understanding. When diverse populations separate themselves from the general mix, the public system is the poorer because the opportunities for understanding and accommodating differences are diminished.”

They went on to say in their brief—and this is, I stress, the Harris government arguing against extending funding—that extending it “would have an adverse effect on the viability of the public school system, which would become the system serving students not found admissible by any other system.”

My point is this: the one study we have from the government argues strenuously against extending funding.

We've asked the government to table with us, show us the evidence that led them to change their mind, to suddenly go from what they believed firmly two years, to turn around and go 180 degrees the other way, to abandoning essentially all their arguments. So far, we've found no argument. You're on the school council at Victoria Park. Have the school councils of Ontario been made aware of the evidence the government has that says they should essentially completely change their mind from their decision to not fund this two years ago?

Mrs Lockington: A lot of the school councils communicate through e-mail. We definitely have heard about the tax credit. We have been made aware. It's just hard to know if everybody is on the same page. We all live very busy lives. We have, over the past year, been focusing on trying to get extracurricular back into the schools. When you're spending all your time and energy trying to do what's best for children and for our public education system, it just seems like every time we think we might be over one hurdle or have made a difference, there's something else that's being thrown out. I'm worried about the system as it stands right now, because we still do not know the actual regulation to do with extracurricular, what that's going to be. Everybody's waiting. They can't do their timetabling because it is law right now that it's 6.67. Everybody is in a predicament right now. They're all waiting to hear what's happening. We have the double cohort that's happening in two years; my youngest son will be part of that.

Those are all things we're going to have to deal with. To then put the tax credit out the way they want to do this just seems to discredit the public education system. If I'm willing to trust my children with the teachers in the public education system, then I think the government also has to put some trust in those teachers. We have some bad apples in every barrel—that's in any type of business—but there are a lot of good teachers out there, and there are a lot of good students. I'm concerned about the total population. They're tired of hearing about problems with the public education system. Most of them don't really even know the concept or the main reasons behind it; they are just tired of hearing about it. I find that frightening.

The Chair: We've run out of time. On behalf of the committee, thank you very much for your presentation this afternoon.

The committee will recess until 4 o'clock.

The committee recessed from 1218 to 1600.

TORONTO FEDERATION OF CHINESE PARENTS

The Chair: I'd like to bring the meeting back to order. It is 4 o'clock. The first presentation this afternoon is from the Toronto Federation of Chinese Parents. I would ask the presenter or presenters to come forward, please, and state your name for the record. On behalf of the committee, welcome. You have 20 minutes for your presentation.

Mr Doug Hum: This will be a joint submission by members of the Toronto Federation of Chinese Parents. This will be a submission that includes the Toronto Chinese Parents Association, of which I am the chair, and the North York Cantonese-Speaking Parents Association, represented by Sarah Tsang-Fahey, will complete our submission.

The Toronto Federation of Chinese Parents represents four Chinese parents' associations located in the former municipalities of Metropolitan Toronto. Our other members include the East Toronto Chinese Parents Network and the Scarborough Chinese Parents Association. The federation was founded almost three years ago by the four Chinese parents' associations, which came together to deal with common concerns and issues and to work together to try to ensure that our children receive the best that our public education system has to offer.

The Toronto Federation of Chinese Parents unequivocally opposes the proposed tax credit for private schools contained in the legislation of Bill 45. At the last meeting of our federation, we passed a resolution, with all four parents' associations represented and present, to oppose the tax credit proposal. We fear that this will undermine programs and services in the school system that our children and families need. This will take away resources for programs that build self-esteem, confidence and pride among our children. Programs that build intergenerational bonding and develop communication skills, which promotes linguistic and cultural understanding among all our diverse communities, will also suffer.

As a federation of Chinese parents, we greatly value the international languages and black culture programs offered by the Toronto District School Board. The international languages program recognizes and, in our view, values the non-English mother tongue of the student. It gives importance to the learning of a second or third language for our children. Because the school board makes these programs available to any student regardless of their cultural background, it helps to build understanding between cultures and awareness and respect for each other's languages among all our students. In terms of the program's value to family life, it is absolutely priceless to see the intergenerational bonding between grandmother and grandchild when they are able to communicate in their own mother tongue, especially when the child's mother tongue is enhanced by the international languages program.

With half of Toronto's population born outside of Canada, it is important that the Toronto District School Board receives the necessary funding and resources to fully support these programs. For the past three years, the international languages and black culture programs have been continuously under threat of having parts or all of the various programs either cut back or eliminated altogether. In particular, the integrated extended day programs which are offered during, and integrated into, the school day have been particularly at risk. The integrated model has proven to be the most effective for learning for the children in these programs. We under-

stand that the province does not fund the black culture program. All these programs need to be fully and adequately funded.

In terms of parents' choice, the current provincial funding model seemingly puts the school board and parents in a position where they have to choose between cutting back on language and cultural classes or closing swimming pools. They have to choose between music classes or athletic activities. These are not palatable choices, and parents should not be put in the position to have to make these choices. We are concerned that siphoning off resources to private schools will create more conditions for these unpalatable choices for our parents. With the growing diversity in our communities, these programs are important and vital to the children, parents and families in our communities. They address very real needs. With the current funding difficulties for these programs, we would respectfully request the province to not proceed with the tax credit proposal contained in Bill 45 and to provide all the necessary resources and funds so that the international languages and black culture programs are not continually at risk of being either cut back or eliminated altogether. Thank you for your consideration.

I now would ask Ms Sarah Tsang-Fahey to complete our submission.

Ms Sarah Tsang-Fahey: Thank you, Doug. On behalf of the Toronto Federation of Chinese Parents and the North York Cantonese Speaking Parents Association, I am speaking against the government's proposed tax credit of up to \$3,500 to parents of private school students.

If the government were to go ahead with the tax credit to the private school parents, the government would lose \$300 million in tax revenue, as cited by our finance minister. As well, with each student leaving the public system, the board will lose \$6,400. This will be the last nail in the coffin of the public education system.

In addition, we believe the tax credit will be a vehicle to segregation. It will facilitate segregation of citizens into haves and have-nots, faith and non-faith, we versus they. This segregation will have a direct impact on the quality of life for all citizens. There are plenty of examples of strife around the world created by misunderstanding and intolerance of each other's ethnic and/or religious upbringing. Even on our own home turf of Canada, language has been a major factor for discord over national unity.

The private school parents' tax credit is a lose-lose solution. It is a band-aid that covers the wound, but it will allow infection to set in. This infection will lead to the death of the ideals of multiculturalism and democracy. One-sided indoctrination from home and school will create homogeneity, complacency and solidarity within groups and will eventually lead to difficulty in communication and tolerance between groups.

We live in an increasingly diverse and complex society, both locally and globally. Our children, having spent most of their formative years in school, have to be

able to share with each other their differences and their similarities. Working together side by side to solve problems that are unique to their generation is most valuable.

To address parental concerns and fears over losing their religious and cultural identities, we suggest the government incorporate religious studies into the curriculum, hence a more comprehensive and balanced approach to developing the whole person spiritually, emotionally and intellectually would be achieved.

The Common Sense Revolution has shaken the whole public education system. Now is the time to regroup and to restore public confidence. Now is the time for the government to consolidate the initiatives set in motion, not to create more unrest. This government needs to focus on certain priorities.

Mend the fence with teachers. Appeal to teachers who really enjoy teaching and want to nurture our children. Our children's education depends heavily on their morale and the school atmosphere, an atmosphere that is being poisoned by government heavy-handed tactics and union manipulation of members.

Secondly, we feel that the government needs to provide the necessary support for students going into grade 11. They will bear the brunt of being the first class who are to finish their high school career at grade 12 rather than OAC. These students need clear direction and guidance to chart their future. Their teachers need to know the content of their studies in order to teach effectively. Having new textbooks printed in July for courses starting in September is ridiculous. In fact, this happened last year. In July they were printing the textbooks for September classes for grade 10.

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Third, the government could take concrete steps to fulfill the promise to have effective space and resources available to accommodate the double cohort starting college and university in 2003.

Fourth, educate parents to better prepare their children for school so that they can come to school ready to learn. This will enable teachers to teach rather than to manage the class.

Fifth, include religious studies in the curriculum so that students are aware of each other's differences and learn to respect each other's beliefs and to live harmoniously with each other. Religious studies address the need for spiritual development, an integral part of being human, our quest for knowledge and reason, as well as our emotional stability.

Our members are disturbed by the current state of public education: the degree of conflict between government, school boards, teachers and parents; the level of discontent and the poisoned atmosphere our children endure; the uncertainty and disarray as the new curriculum is forced into place. But to encourage parents to opt out of public education and withdraw badly needed funding from a system in crisis is like throwing a cement block to a drowning person. For the future of our children and for the benefit of society, this initiative must not go forward. We strongly oppose the tax credit for private school parents.

I'm sorry. Someone asked me to bring a copy, but I didn't distribute it. If you like, I'll be happy to let you have a copy. It's printed on both sides. I hope I was understandable.

The Chair: Does that complete your presentation?

Ms Tsang-Fahey: Yes.

The Chair: Thank you very much. We have approximately two minutes per caucus. I'll start with the government side.

Mr Hardeman: Thank you very much for the presentation. I have just kind of underlined here in the presentation the special program that we have for your community, the Chinese community in Toronto. Is it your understanding that this type of program is available to all students around the province?

Mr Hum: As far as we know, the policy, as I understand it, is that if the required number of students come together and request it, boards are supposed to make it available. That is the way I understand it's set up with the Toronto District School Board. I think the numbers are 25. If there are 25 students who wish to be enrolled in such a program, the board will establish it.

Mr Hardeman: The reason I question that is because I don't believe it's available in my community.

The other thing is, I noticed in the presentation the choices between some of the things in school and swimming pools. In my community, our schools do not have swimming pools. I guess if we're talking about fairness and equity in education, your proposal to stay with the status quo is not exactly achieving that fairness and equity for all students in the province.

With that, I'll turn it over to my colleague.

The Chair: Do you wish to reply to that, sir?

Mr Hum: Yes, certainly. The issue here in equity is not to take from one and give to the other, but all should have access to resources to address the needs in their own communities. You don't want to bring everything down to the lowest common denominator. It's to uplift and bring everyone up, all of our children and families up to a level where the services are supposed to be adequate for all of us.

Mr Hardeman: I just want to make sure that my parents also have the same parental choice your parents have to be able to provide for their children the type of education they think they need for them, which you are being provided but my parents are not.

Mr Hum: Certainly it would be important for your parents to speak to your school board trustees and to raise these issues as such, which the parents under our board have done.

The Chair: Thank you very much. I have to go to Mr Phillips.

Mr Phillips: Just a comment. I know a little bit about the international languages. It was in 1975, I think, that Premier Davis introduced it with Minister Wells as Minister of Education. I happened to be honoured as chair of the school board that first approved international languages—led, I might add, by the Dutch community, the Greek community and the German community, and, as I

say, an enlightened provincial government. It is available to every school board that wants to use it.

But my question is along the lines of the presentation dealing with diversity. The only research paper we can find on this matter prepared by the government of Ontario was when they argued strenuously against proceeding with funding of private schools. This is the document prepared by the provincial government, and here's some of the evidence they quote.

They say, "Extending funding would undermine the ability of public schools to build social cohesion, tolerance and understanding. When diverse populations separate themselves from the general mix, the public system is the poorer because the opportunities for understanding and accommodating differences are diminished." Then they go on to say that it will do significant damage to the public school system and will undermine promoting the values of pluralism, multiculturalism and understanding.

My question to you is, are you as a community group aware of any research the government has done that would allow them to decide that all the research they did two years ago going in one direction was wrong and now there's new evidence to say, "We're going to do a 180-degree turn"? Is your community group aware of any such research done by the province of Ontario?

Mr Hum: No, I am not aware. I listened to part of Mr Flaherty's submission. When he was asked about any Ontario studies, I believe his point was that his ministry relied on studies in other provinces and in the United States. I may be wrong, but I believe that's what he said.

Some communities may be short of resources. But if they forgo this program, that's an additional—I understand the cost of this program will come out to about \$300 million a year. If they forgo this program, that's additional revenue available to the different ministries for the swimming pools that are not available, for the kinds of programs that are lacking in other municipalities. There's no reason why we couldn't put that back into our system and set up First Nations language studies in Rainy River, Thunder Bay, Fort William, Timmins or Sudbury.

The Chair: Mr Marchese.

Mr Marchese: I wanted to thank you for your presentation and to say that I agree with much of what you both have presented here today.

Mr Flaherty came here in the morning yesterday and said he's been hearing people saying they want their own education, and in their own culture and religion. I'm not quite certain that's what people are saying throughout Ontario. What we've been saying to Flaherty and the others is, if you want to achieve the kinds of things that speak about diversity and multiculturalism, Toronto is a fine example.

As you said, the international languages, formally the heritage languages, is something people fought for. It wasn't given to us. In Toronto, we had to fight everybody to get those international language studies. That's not something one is given. The government only funds it on the basis that if you've got 25 students, you get support, but it leaves it to the boards to decide whether it's during

the day or after school, which is another complication. But we're saying that if you want diversity, international languages teaches language and culture and, to a great extent, religion too. We're also saying that in Toronto we have religious readings that reflect the diversity of our communities. We also have black studies and native studies. We could add—and it's something New Democrats support—the teaching of religion as a course of study.

If you do all of that, I think the majority of Ontarians would buy that as something that truly reflects our multicultural communities. Don't you agree?

Ms Tsang-Fahey: Oh, I definitely agree, actually. I think the tax credit is not so much about choice, because we definitely have enough choice even in our public education system. We have francophone, we have anglophone, we have Catholic and we have non-Catholic. So we have lots of choices. I noted last night Mr Flaherty was talking about this tax bill being about choices. I'm saying we have enough choices.

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The parents who opt out are choosing to isolate themselves, and the diversity will definitely be hindered. We will have no diversity when we segregate and ghettoize ourselves into different groups. I am Chinese. I would like to see my children be taught Chinese values. But for society's sake, I don't think it is feasible. For society's sake, for our children's future, it is not healthy for us to ghettoize ourselves, to, like the Chinese, indoctrinate our children 24 hours a day at home, then send them to school and do the same thing. When they grow up, they'll know nothing but their own culture. Much of the strife—I hate to bring in Ireland, India and the Middle East. I hate to bring that up. But that will be down the road, as I see it. You can see if we isolate ourselves, there's no diversity. We're all ghettoized, and the whole society suffers. The whole nation will suffer in the end.

The Chair: We've run out of time. On behalf of the committee, thank you very much for your presentation this afternoon.

ONTARIO COALITION FOR EDUCATION REFORM

The Chair: The next presentation is from the Coalition for Education Reform. I would ask the presenter or presenters to come forward and state your name for the record. On behalf of the committee, welcome. You have 20 minutes.

Ms Sheila Morrison: My name is Sheila Morrison. Does it matter where I sit?

The Chair: Right there, yes. Go ahead whenever you are ready.

Ms Morrison: My eyes are deteriorating. I just wanted to make sure I knew at least, somewhere, who I was looking at.

Thank you very much. I'm glad to be here. Let me say at the outset that I fully agree with the tax credits for parents for several reasons. However, I think some back-

ground is in order from a perspective I have not seen addressed by any columnist or anybody else, particularly by those who fear fracturing the system.

It is all well and good to say we must have a strong public system open to all, a concept in theory to which I subscribe. Unfortunately, aside from being open to all, we do not have a strong public system. For the last four years, 50% of the grade 3 to 6 students have failed, right across the province. The test was administered by the EQAO, which is not the best test available. The Canadian test of basic skills would have been better. It is a truly standardized test, and would have cost 90% less. Furthermore, a minuscule improvement, from 49% to 51%, would hardly set the world on fire, especially when you take into account the fact that weak students are encouraged to stay home to save them embarrassment—that's what they say—and special education students did not participate at all. That's a rather huge chunk of youngsters out there. Obviously, one wake-up call four years ago was not enough to wake up administrators and principals in the public schools.

As a result, we have parents who are willing to make great sacrifices to put their children in private schools where, if they are not satisfied, they can take them out. Most of those schools are not fancy, have no frills, no swimming pools, and make do with considerably less money than is bestowed on the public school system. Since I run a private school myself, I know what I'm talking about. When I think of my budget compared to theirs—and I feed them. Do you know how much teenagers eat nowadays, or any other kid, for that matter? There are those of us who think the public schools are over-funded. In the meantime, parents are paying tuition fees and also school taxes.

We have advocated school choice for years, and while it may be available in the system, it is often contingent upon space. If word gets out—and all schools have telephones—that their kid has a rabble-rousing mother, all the principal has to do is say, "Sorry, but there is no room at the inn." The school that would take your child is in north Toronto, and you live at the Beaches. So much for school choice in the system.

In 1975, there were 26 private schools in the province; now there are over 700—actually, 734. Private schools fill a need brought about by an inefficient, expensive public school system that defends its failing procedures to the detriment of the students and, eventually, society. It is no accident that lower- and middle-income families have decided to make the sacrifices to be sure their youngsters have the basic skills to make a living. These 700 private schools are a direct result of the failure of administrators of local boards to meet the needs of the community.

Since the grant given to the local board is roughly \$7,000 per student, if all 102,000 pupils were to return to the public schools, the ministry at the moment would go bankrupt, or so a previous minister told me.

To phase in a tax credit for parents, who are also taxpayers, is long overdue; \$3,500 five years later is only

half of the grant bestowed on the public system. To be fair, it should be the same amount given to the public schools. If the schools are so concerned, all they have to do to get these students back is to emulate the teaching methods, discipline and values of the private schools. It would put the private schools out of business, because most of the parents would rather save the money. In the meantime, the tax credit is a giant step in the right direction. Hail to the Honourable Jim Flaherty.

The Chair: We have five minutes per caucus, and I'll start with Mr Kennedy.

Mr Kennedy: Thank you, Ms Morrison, for your presentation. I wonder if I could ask you—you referenced the test scores. What kind of test scores were attained at your school?

Ms Morrison: I have a special-needs school. Youngsters come in to my school with graduation certificates, reading at grade 4. They come in at grade 10, reading at grade 2. These parents are desperate, or they would certainly not spend the kind of money that I have to charge to be sure I can save their lives, which I do. I use standardized tests, not the EQAO test. We use the standardized test; we've used the same one for years.

Mr Kennedy: That's an entrance test for, as you mentioned, your children with special needs?

Ms Morrison: No, no. We take kids nobody else will take, but we give a standardized test so we know where they are—not where they should be, but where they are.

Mr Kennedy: You know where they stand by that test.

Ms Morrison: That's right. When they walk in the door, we have to find out where they stand, because you can't believe the report cards. The report card says he's in grade 9 and he has seven credits, but he can't read beyond grade 3.

Mr Kennedy: Ms Morrison, you were talking in the early part of your remarks saying you were in favour of a strong public education system.

Ms Morrison: Yes, I am. I taught in it for years.

Mr Kennedy: You've expressed, I think, some disappointment in the status of the system. In fact, you've said that you thought the increase in achievement, as measured by the EQAO test, was no great deal at all and you think that's not much of an achievement.

Ms Morrison: If you know anything about testing at all—you're Mr Kennedy? I can barely see.

Mr Kennedy: Yes, I'm sorry.

Ms Morrison: No, it's not your fault; it's my eyes.

The thing is the EQAO test is not the most difficult standardized test, and over the last four years 50% of the population in this province has failed to pass that test—I got this from EQAO, and it was also in the paper—and also the grade 6 test. So by the time they've gone from grade 6 up to grade 10, they're surprised when they fail in grades 9 and 10?

Mr Kennedy: Ms Morrison, I'm wondering, because I think you've got views on this subject, why do you think the government is failing so badly to improve education?

Ms Morrison: I'll tell you exactly why. Let me tell you.

Mr Kennedy: They've been at it for six years. What's the theme; what's not going—

Ms Morrison: You asked me; let me tell you.

Mr Kennedy: I have an idea.

Ms Morrison: I know you want to tell me, but I know why: because, to be fair to the government, they brought in a new course of study which says they must teach phonics and spelling and so on and so forth. Nobody in the board—they would much rather defeat the government than worry about the kids. Nobody—very, very few schools at this point are teaching the course of study as it has been set out, grades 1 to 8. They are supposed to teach phonics in grade 1, grade 2, right up to grade 8—which is ridiculous, if you know how to teach—but in the meantime those children are not getting those skills. The very first time when all those kids failed, they should have started implementing that course. Where are the principals? Where are the superintendents? Where are the directors?

Mr Kennedy: Ms Morrison, is it your view—because I think you're agreeing here that after six years they're still floundering out there; failure is still taking place—

Ms Morrison: That's right.

Mr Kennedy: For whatever reason, the government has not been able to get the results. Is it your view that it is the intention of all those principals and teachers and administrators not to have their students succeed?

Ms Morrison: They don't really care, I would say by the look of the report cards that I see. I have two grandchildren. By the look of the report cards that I see, if you try to get an appointment with anybody, "Nothing is wrong, nothing is wrong, nothing is wrong. Just trust us." By the time your kid is 14 and reading at grade 3, it's time for something else, so you go to a private school.

Mr Kennedy: So do you think—because you said before, just very quickly, though, that you had some time in the public system, if I'm not mistaken.

Ms Morrison: I spent 20 years in it.

Mr Kennedy: Twenty years. Do you not think that somewhere in there are people who want to get a good job done?

Ms Morrison: Of course there are.

Mr Kennedy: You made a general statement. I'm sure it was—

Ms Morrison: Listen, there are people out there who know how to teach, who want to teach and who do teach. But the young teachers who are coming out have gone through the system and their skills are not as good as they ought to be, which is why our group suggested teacher testing. But we're not doing teacher testing; we're doing teacher reclassification or some stupid thing.

Anyway, doesn't anybody else want to ask me something, just you? What do you want to say?

The Chair: I'll give them a chance after.

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Interjections.

Mr Kennedy: Each of the parties will get a chance and they'll be happy—

Ms Morrison: But then I'll be out of time.

Mr Kennedy: No. The Chair is closely watching the time, and he'll be sure to get to the other people.

I think we appreciate you're dealing with people, you said, who are at the end of their tether. These are not your words, but I think the suggestion you made is that you're saving those kids because they're not doing very well and they're coming in. Just narrowly to the kids you know best now, the ones you're dedicated to, why couldn't we have programs like yours in public education dealing with kids who, if I heard you correctly, are way behind by your rigorous test? Right? They're far behind. Why don't we have a Sheila Morrison school or, if not a school, at least a program, that would address those kids in public education? What prevents that? Why does it have to be outside of the public system?

Ms Morrison: I think part of the reason is that most of them don't know how to teach because they haven't been trained in teachers' colleges. Every single faculty of education is different. They all have their own idea of what a good teacher needs. Western, I heard just the other day, has a program that's voluntary if you want to learn how to teach reading. At a faculty of education, it's voluntary, for heaven's sake?

The Chair: Thank you very much, Mr Kennedy. Of course, Ms Morrison, I have to go to Mr Marchese.

Mr Marchese: Could we have some balance and go to the Tories first and then come back to me, if she would prefer?

The Chair: No, I think we'll keep the order, Mr Marchese. I'll go to you.

Mr Marchese: Ms Morrison, what is it again with your methodology of teaching that has created such success in your classrooms, just for me to understand?

Ms Morrison: I'm just doing the same thing I did for 20 years in the public schools.

Mr Marchese: Which is?

Ms Morrison: Which is teach reading, teach spelling, teach writing. Mark it, make them correct it; mark it, make them correct it; mark it, make them correct it. That's all you have to do, but you do it every day and every kid gets—

Mr Marchese: But it's so simple.

Ms Morrison: It's simple. That's right, it's very simple.

Mr Marchese: And that should do it?

Ms Morrison: I've been saying that and telling everybody. Nobody listens to me.

Mr Marchese: You may have seen—

Ms Morrison: This is not the government's fault. This has been going on since Premier Peterson, Mr Rae, and now here.

Mr Marchese: Ms Morrison, did you see in the Toronto Star a report that shows that where there is poverty, generally speaking, the grades tend to go down, that they don't succeed as well?

Ms Morrison: Rubbish, rubbish. I got that in the public school. At the first school I ever taught in, I was the only person in school who talked English. Every single kid was something else. It didn't even occur to me I had an excuse not to teach them, so I did. That's all anybody has to do, and also the poor ones; nobody is teaching them either.

Mr Marchese: OK, that's good, because Doug is so happy with your presentation he's laughing like a kid in excrement.

Interjections.

The Chair: That's borderline.

Mr Marchese: I think it's a little more complicated than that.

Ms Morrison: Well, it isn't. I've been at it for 35 years and it isn't any more complicated than that. I'm not even going to discuss it, because it isn't. I know what I'm doing.

Mr Marchese: So basically teachers are in disagreement with you or at least they don't seem to want to do it? What is it about teachers—

Ms Morrison: No, no, no. Teachers just want to do a good job, but if you don't know how and the principal doesn't come in and say, "Look, you're not doing it right, sister. Here's how you do it," there's the problem. The principals or the administration are not supporting the teachers, who would do a good job if they could.

Mr Marchese: You're saying that the private schools, the non-denominational ones and the religious ones, seem to have better practices, which is what you're suggesting, reading, writing, testing, marking and so on?

Ms Morrison: Right.

Mr Marchese: It's that simple, and the religious schools are doing it for some reason, so they've learned that magic?

Ms Morrison: It isn't magic. Their kids have to earn a living, so they've got the money. If they don't have it, they borrow it, the mothers go back to work, the grandparents chip in. Somebody helps to pay. They take two jobs. That's the answer.

Mr Marchese: I understand, but that's a different point. You were talking about how your methodology of teaching brings success and that the private schools seem to have the same methodology.

Ms Morrison: They're doing the same as I do. That's the same with everything. If we don't succeed, they take the kid out. It's as simple as that. The thing is, that's why these parents are making great sacrifices, and it's time they got a tax credit.

Mr Marchese: Ms Morrison, you said if they don't succeed, they throw them out.

Ms Morrison: Not me. No, I don't throw them out.

Mr Marchese: You said in the private schools if they don't succeed, they—

Ms Morrison: If the parents aren't happy is what I should have said. If the parents aren't happy, they take them out and put them someplace else in another private school.

Mr Marchese: Oh, in another private—and if they don't do well, they move them around to different private schools.

Ms Morrison: That happens, yes.

Mr Marchese: Or bring them back to the public system.

Ms Morrison: That's right, when they're all out of money.

Mr Marchese: Right.

Ms Morrison: Now it's your turn. Come on.

Mr Marchese: No, no, no. There's a couple of more minutes.

The Chair: He still has about 30 seconds, Ms Morrison.

Interjections.

The Chair: I have to be fair.

Mr Marchese: Ms Morrison, I won't put you through any more pain. I think you should go to them directly. I think you're absolutely right.

The Chair: Mr Hardeman.

Ms Morrison: You'd better be nice to me, the way I've been sticking up for you.

Mr Hardeman: Thank you very much for the presentation. I suppose we have reached a point where finally someone comes in and says that maybe the way it used to be done wasn't that bad, that as we have changed, we haven't in every case improved in our system, that the system is not necessarily better today than it was 25 years ago.

Ms Morrison: Exactly. You're my friend for life.

Mr Marchese: I thought so.

Mr Hardeman: We've had a lot of discussion in the last couple of days when we've had these hearings about parents who choose, for whatever reason, an alternate education system, whether it be for religion, culture or the way they're being taught, that they should have a right in fairness to choose that.

Ms Morrison: That's right.

Mr Hardeman: The opposition have been quite emphatic about that and have taken every opportunity to suggest that not all children or not all parents can make that choice, that no school, no person like yourself, will take on the challenge of teaching children who are not as far advanced as some others. I'd just like to hear a little bit more about it, how you're into that in that program.

Ms Morrison: We take anybody who has so-called learning disabilities at this point, or dyslexia; most of them at this point have dyscalculia. If we can bring a kid's grades up one and two grades in six weeks during the summertime, which we do at our summer school, I don't see why the school system couldn't do it in a year or three or four. I think this is the thing. We take kids nobody else wants and have sort of washed their hands of, and we really do turn them around.

The thing is, there are people in public schools who could do it too, but you have to be old to know the difference. The young teachers we have do what we say; otherwise, they don't know what to do. I think this is unfortunate. We at least are helping them. Most of the

people at private schools train their teachers. They have to train their teachers, but the public schools just sort of let them out there and flounder, and the teachers are getting the blame when they haven't been properly trained.

Certainly this tax credit is boon for these really poor—I was on the radio the other day. A man phoned and he was a cleaner. His kid was nine and said, “I can't read, Dad.” He said, “I got two jobs and I took him out and put him in a private school. In five years I've spent \$100,000, but it's the best money I ever spent.” I think that's the problem. Certainly that man deserves some return. Most of these parents try the public schools. I'm serious. If the public schools started to do what they used to do when I was teaching, the private schools would vanish and you'd save all that money.

Mr Hardeman: The other thing you mentioned when you started your presentation was that your school doesn't have a pool.

Ms Morrison: That's right. I would love one. We're trying to raise the money. If you want to get on our fundraising team, I'll welcome you.

Mr Marchese: He's very happy to do that.

Mr Hardeman: It is fair to say from your presentation that the majority of your emphasis is on the process of educating children as opposed to worrying about—

Ms Morrison: That's right. Whether they're good citizens—that's right. We just teach them and we improve their social skills and we improve their self-esteem. It doesn't do much for a kid's self-esteem when he's 14 and can't read, and he knows it, but nobody in the school system seems to know it, so they yank them out. I had a talk last night with a man whose wife is a teacher and this kid—she was on friendly good terms with the director of education—came to us and he was reading at grade 2 and he was 14. He is now reading at grade 6.

Interjection.

The Chair: Only one conversation at a time, please. Order.

Mr Hardeman: I really appreciate the fact, ma'am, that in your presentation so far, contrary to some other presentations we've heard, you've spoken almost exclusively about the student as opposed to the program and the facility that was available for the student, to talk about the benefits of educating the child. I really appreciate that. That hasn't been consistent with all presenters, so I very much appreciate it, and I turn it over to my colleague Doug Galt to ask some questions.

The Chair: You have one minute, Mr Galt.

Mr Galt: I have one minute left. Just a quick comment to you and maybe you can respond. We've brought in a lot of programs over the last six years: standardized curriculum, standardized report cards, regular testing, teacher qualification, College of Teachers, and the list goes on. You're noticing with the testing that it's not improving. You're supportive of the government, supportive of the tax credit. What is it that government should be doing to get these marks up? What's happening out there that's not—

Ms Morrison: I'll give you what I think is a very good line: the Tory government has done the right things, but they haven't done them right. If they had asked me, they would have been perfect.

The Chair: With that, I must bring the discussion to an end. On behalf of the committee, thank you very much for your presentation. We have run out of time.

1640

COUNCIL OF ONTARIO UNIVERSITIES

The Chair: I would ask the next presenters to come forward. It's the Council of Ontario Universities. If you could please state your name for the record.

Interjections.

The Chair: Order. I can let the whole show go on and have conversations across the room; I'm going to be here till 6 o'clock. It's your choice. We can listen to what the people have to say or I can let you have your discussions across the floor. It's not my choice.

If you could please state your name for the record. On behalf of the committee, welcome. You have 20 minutes for your presentation this afternoon.

Mr Ian Clark: Thank you, Chair, and honourable members of the standing committee. My name is Ian Clark, president of the Council of Ontario Universities. With me are Ken Snowdon, vice-president, and Chris Torres, treasurer of the council.

Thank you for giving us the opportunity to comment on the May 2001 budget and the related budget legislation. The council regularly makes representations to this committee in pre-budget consultations, but it is not often we have the chance to meet for a post-mortem.

I have tabled our brief. I hope you have it. I'd like to take 10 to 15 minutes to take you through it, in which I'll offer some observations on university funding commitments in the budget and will relate these observations to the council's perspectives on Bill 46, the Public Sector Accountability Act. I hope this committee will be prepared to receive comments on Bill 46 as part of its deliberations. We understand the government may wish to treat Bill 46 as a budget bill, to follow the same kind of legislative timetable. Following my remarks, my colleagues and I will of course be happy to respond to questions.

The first page in the brief just recalls the key challenges facing the post-secondary sector. In our brief to you on February 15, we underlined the importance of securing a multi-year funding framework to enable universities to invest efficiently and plan effectively for the projected enrolment surge. As committee members know, this enrolment surge is driven initially by the double cohort associated with the change in the secondary school curriculum. We've set out some of the numbers, on this page, of the students expected and the faculty that we think are required.

Turning to page 2, many of you in this room—I certainly recognize one of you—have attended recent meetings organized by parent associations specifically to

question representatives of universities and government about whether we would be ready to meet the dramatic increase in enrolment that will begin in just 14 months. At the last meeting that I attended, when parents asked, "When will we know if there really will be enough places?" we answered, "Wait for the budget." I hope parents were as gratified as the universities over the budget commitment that the government will "increase operating grants to colleges and universities by an estimated \$293 million by 2003-04, directly proportional to the projected enrolment growth."

The parents were aware that the government had in earlier budgets committed substantial capital for new facilities through SuperBuild. University representatives assured them that the building was well underway. The key remaining issue was the financial ability to hire the requisite faculty and staff and to provide the necessary equipment and related learning resource materials. Council has stated that the budget's multi-year commitment to full funding for increased enrolment will enable universities to plan for the longer term, hire faculty and develop strategic plans that would otherwise be beyond the scope of a single-year budget. At future meetings with parents, government and university representatives will be able to say with confidence that there will be space for every qualified and motivated student.

When the students arrive, they will expect and deserve a high-quality education. You will recall that our brief in February was built on the theme of access to excellence. With the budget's multi-year commitment, the universities now have the basic enablers to deliver on the access part of the goal, although a huge amount of work remains to be done on campus to get there. The next challenge will be to work with all contributors, especially government, to deliver on the excellence part of that goal.

The government provided impressive assistance in that direction with the budget's \$100-million commitment to address maintenance costs for facilities in colleges and universities. The investment in maintenance will allow universities to improve the physical environment for our students and our researchers. Ontario universities greatly appreciate this expenditure of public funds.

A key priority of the universities that will be the focus of future discussions with government will be to secure funding for students who are currently in the system but who are not funded. This step will correct a situation that currently places many of our universities in the position of having to plan for expansion of their enrolments from a financially disadvantaged position. Another priority will be to ensure that unavoidable cost increases do not erode the funding that has been provided for enrolment growth. As many committee members know, the 2001-02 increase in the operating grant for most universities is directly tied to an anticipated increase in enrolment of 1.6%, with an approximate additional 0.4% linked to performance funding. The two funds are in fact considerably less than projected cost increases, so that most universities will have this year to undergo further cost-cutting. This process will have far-reaching implications over

time, as universities struggle to meet the budget targets established by their governing boards. We will be working with the government over the next year to secure funds to cover normal operating increases.

As noted earlier, we would like to work with the government to find ways to bring the faculty-student ratio closer to those in comparable jurisdictions. Many aspects of effective university teaching and learning require personal contact with faculty. While we all recognize that educational quality involves more than increased numbers of faculty, it is fair to say that few universities internationally recognized for their teaching have faculty-student ratios that are anywhere near as low as those in Ontario.

Now let me turn, on pages 3, 4 and 5, to issues associated with Bill 46.

Ontario universities recognize that government must ensure the efficient and effective use of existing public funds. When we met in February, we were confident that the government-appointed Investing in Students task force would conclude that Ontario universities operate at among the highest levels of administrative efficiency of comparable institutions in North America. We were gratified that the task force, in its March report, gave Ontario universities a clean bill of health and concluded that they are responsibly managed and cost-efficient compared to other jurisdictions. Moreover, the task force pointed out how impressed it was with the degree of co-operation and efficiency-producing measures that occurred within Ontario universities, working collaboratively.

During last year's hearings of the Ontario Financial Review Commission, we presented a brief that emphasized the progress made by Ontario universities in strengthening the institutional accountability framework. Many of the measures introduced in the last decade were aligned with the recommendations made in 1993 by the government-appointed Task Force on Accountability of Crown Corporations. For example, the task force made a series of recommendations to improve the role, composition and effectiveness of governing bodies.

Most institutions have made these improvements. The task force also recommended specific management information and policy reviews. All institutions have since taken steps to improve the flow and quality of management information to the governing boards. Virtually every institution now publishes annual reports that cover the institution's financial affairs, mission, goals, progress and produces reports that focus on management indicators. The council provided the Ontario Financial Review Commission with sets of institutional documents that comprise the accountability framework at individual institutions.

Ontario universities support the concept of a Public Sector Accountability Act. Indeed, we believe that a carefully constructed legislative and regulatory framework could increase the public's confidence that the public expenditure in our sector is a wise investment. Such a framework could even help reduce the myriad

reporting requirements that are now in place. However, Ontario universities are concerned that the bill could unintentionally become a significant impediment to sound financial management, and we urge the government to give careful consideration to the design of the act and its regulations.

For several years, we have been involved in consultations with the Ministry of Finance on the development of a Public Sector Accountability Act. We were not, therefore, surprised to see it recommended in this spring's report of the Ontario Financial Review Commission, which recommended such a framework.

One element of the bill came as a complete surprise to us, however, and that was the requirement for annual balanced budgets. We do not believe that this provision recognizes the university sector's enviable history of responsible financial management.

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Many universities have effectively used multi-year budgeting to achieve their planning objectives. Given the nature of university programs, the need for long-term staffing commitments and the fact that students flow through the institution over a period of years, the multi-year budgeting approach is a reasonable and responsible planning and fiscal management tool. An absolute, across-the-board requirement for annual balanced budgets would not help universities but would, in fact, impede sound planning and financial management. We believe that, in the interest of best practice, the provision for annual balanced budgets, as written, should be reconsidered, where appropriate in certain sectors, to facilitate the most efficient financial and management planning.

Today's universities are incredibly complex entities. If the laudable goals of the Public Sector Accountability Act are to be achieved in the real world of university management, we believe it is essential that the definition of the ways in which sound fiscal performance are to be achieved, measured and reported be tailored to the sector.

Let me give you just a few examples of definitional issues that arise. Let's start with the phrases "the organization's anticipated expenditures for a fiscal year" and "anticipated revenues."

Universities receive funding from provincial governments, students, donors, other governments, the private sector and sales of services and by investing their own resources. Provincial government funding now comprises, on average, only 40% of total revenue. In many cases the terms of the funding are, in fact, established by the funding agency, donor, private partner or terms of a service agreement. For these reasons, universities continue to use fund accounting as well as the nomenclatures "restricted" and "unrestricted" to define, manage and control the different kinds of funding arrangements. When coupled with the myriad institutes, affiliated colleges, foundations and incorporated businesses on many campuses, the idea of a single "budget" is truly an abstract concept.

Other considerations that need to be addressed are the complexities associated with changing accounting conventions. That's why I've asked Chris Torres, who is a former member of the committee of accounting standards for the Canadian Institute of Chartered Accountants and is currently the treasurer of COU, to be here, in case there are questions on that score.

The reality is that the need for universities to diversify their revenue streams has led to a much more complicated set of financial arrangements. We would ask for the government's help in ensuring that these complexities are recognized in regulations applicable to the university sector, and we'd welcome the opportunity to work with the government on this end.

Another definitional issue is defining the institution, because the institution has to produce a business plan and will be held accountable for the results. But one will have to be careful about how one defines the institution, because many of the universities have affiliated colleges with their own boards, they have research institutes with their own boards, and technology transfer agencies often have separate boards. They are separate entities with their own financial statements and management structures, so the nature of the legislated responsibility of the host university for the business plans of the affiliates requires careful consideration.

The current wording of the bill prescribes a set of information that the business plan must contain. But some of these requirements, as defined, may unintentionally duplicate more valuable information which is already being produced. Again, we suggest that it would be wise to be careful in the definition of this so we don't unnecessarily produce other less valuable information at additional cost to the institutions.

Finally, a word on the legislated responsibilities of the boards. We would suggest that it's crucial that the role and responsibilities of the boards of directors be reinforced. We would recommend that the government be careful not to unintentionally undermine this role in the wording of the legislation.

To close, on the last page, I would like to return to those challenges and how the Ontario budget has helped to meet them. Ontario universities and the government have been working together for almost three years to plan for enrolment increases. In the past 10 months, Ontario universities have developed institutional enrolment plans that, when combined, meet the demand projections. With the budget's multi-year commitment to full funding for increased enrolment, these plans are now moving to the next level of detail. There is a great deal of work to be done on our campuses, but we are confident that there will be a place for every qualified and motivated student at Ontario's universities. Given the ongoing commitment by government and all universities to work collaboratively in addressing problems as they arise, council is hopeful that Ontario universities will be able not only to provide spaces for these students, but also will be able to provide the quality of learning experience that they deserve.

Frankly, I think members of this committee, and indeed all Ontarians, can be proud of the process that has brought us to this point, and we encourage all sides to continue to work together on this multi-year agenda. Thank you.

The Chair: We have two minutes per caucus.

Mr Marchese: Welcome to this committee. For a moment I thought you were going to injure those members with kindness, but they're still intact; that's good.

You obviously realize that every system that is connected to this government is underfunded. The elementary school system and secondary school system have suffered \$2.4 billion in cutbacks. The health care system is reeling. We don't know what to do. This government says, "Everything is on the table now. We're going to privatize whatever we can, because we've got to work with the private sector to help solve the health care problems."

The post-secondary education system cumulatively has lost \$1.2 billion—I think \$1.2 billion or \$1.6 billion—and yesterday they put some back, but they're still reeling from that. We're going to have 90,000 students by the end of this decade. I'm not sure how we're going to accommodate them. I know you're convinced; I'm not, and I'm not sure people are.

Tuition fees have hit the roof: a 60% increase in tuition fees in the last six years in the regulated programs, and in the unregulated programs they've gone up close to 500%. Things couldn't be in a worse mess. We're going to need faculty, and these people are not hiring the faculty that you need. So my view is that we've got serious problems.

How do we deal with that? Is your answer, "We're working very nicely and carefully with this government, and the announcement they just made of a couple hundred million is better than nothing"? Portals and Pathways suggested more, but at least you got some, so you're happy. Is that the approach we take to this government?

Mr Clark: Mr Marchese, we assume this is not the end of the discussions we're having with government on dealing with this. What the government has done is provide a funding approach, a formula and a multi-year commitment which will enable the universities to meet that quantitative target of providing a space for every student. That's what we believe. It's very hard. It's not ideal.

I think the difference, the explanatory variable between what you see and what we're describing, is found on the quality side. Clearly, if we have more resources, we can provide a better quality university education: the class sizes can be smaller, there can be more personal contact, there can be less multiple-choice questions and so on.

Mr Marchese: Would you be willing to give up your tax cut in order to get some money back into the system?

The Chair: Mr Marchese, we've run out of time. Now we have to go to the government side.

Mr Hardeman: Thank you very much for the presentation and for the positive comments to the budget.

Mr Marchese would have you believe that this budget doesn't increase funding to post-secondary education. As you mentioned in your presentation, and I just repeat, there is \$141 million for the renewal of the present infrastructure that is there for post-secondary education. That's over and above the billion dollars over the past year and a half that we've put in to create those pupil spaces that you speak of that we need for the double cohort, to find a space for every qualifying student, and the \$293 million by the year 2003-04 to help fund the operation of those spaces. We appreciate being able to do that, for the students who will be coming in. I think it's important for the record that, contrary to what Mr Marchese would say, there are investments there in post-secondary education.

What I really wanted to ask about is your comments, first of all agreeing with the challenges that are there and that working together, the government and the universities, is the only way we'll solve those challenges. You mentioned the issue of the legislation, Bill 46. Obviously you've seen the bill. The way it's presently written, do you believe it has the ability to meet the challenges that you're suggesting, or are there changes that need to be made, where we need to go further before we can make regulations that would solve the problems you've addressed in your presentation?

Mr Clark: I would recommend that the government provide enough flexibility in the legislation so that it can develop a regulatory regime which is appropriate to each of the sectors, because they are so different, so we wouldn't be unintentionally caught with some across-the-board notion that was thought about for some other sector but would have deleterious effects on the system.

The Chair: Mr Kennedy?

1700

Mr Kennedy: Unless you have a new policy of the university council around private school vouchers, I'd like to ask you about the quality issue you brought up before. I also want to make the remark that you didn't get that much money this year. That's a down payment of what you've been promised in years following, so we'll all sit tight and see how that turns out at the end of the day.

I want to ask you about the quality you mentioned. As far as I'm concerned, it's incumbent on this government, if they want to remove a certain number of students out of high school a year early, if they want to make that happen, then it's their obligation to make the exact same opportunity available to each of those students as the ones who were in other, more normal years. So I want to ask you very carefully, because I think we need an update, we need to know where we're headed, we need to know what kind of confidence we can have, based on the knowledge you have today and what you've been promised so far, will those students get exactly the same opportunity as in other years or not?

Mr Clark: The government's commitment, as I understand it—and certainly we're working very closely with them to try to make it happen—is that the grade 13s

who graduate that year will have the same opportunity and have the same kind of entrance standards apply as the grade 12s. It is hard to make assessments of quality of one year versus previous years. Our basic premise for many years has been that because the student-faculty ratio has been increasing, it's hard to believe that isn't having an effect on the quality.

Mr Kennedy: I think that point has been taken and well noted, and we advocate about it regularly, but on the double cohort issue, are you saying that today you feel confident—because these are temporary spaces. After four years, you're not going to need them any more. How are you going to track the faculty? How are you going to have those things? You're going to need some of them but you're not going to need all of them.

Mr Clark: Our position, our analysis, is that we will need all of them.

Mr Kennedy: By this time—this is the first you've heard about the funding—will you have the same kind of quality opportunities available? You already said you are guaranteed the quantity, but will that be the same quality, based on what you've received? You brought up the quality issue. You said you weren't sure about it. I want to know what that means. I want to know whether we're able to make the assurance today to those students and their parents that they will get the same quality of opportunity, as well as having a space. Normally we certainly would hope they wouldn't be mathematically cut out simply because the government changed the policy.

Mr Clark: That's one of the issues we have to continue to work on with the government. I can't give you a definitive answer but—

Mr Kennedy: Is there any information you could give us—

The Chair: With that, Mr Kennedy, I think we've run out of time. On behalf of the committee, thank you very much for your presentation this afternoon. I'm sorry I have to cut it short.

UNITED STEELWORKERS TORONTO AREA COUNCIL

The Chair: Our next presentation is from the United Steelworkers Toronto Area Council. I would ask the presenter or presenters to come forward and state your names for the record. On behalf of the committee, welcome. You have 20 minutes for your presentation this afternoon.

Mr John Humphrey: I'd like to thank you very much for agreeing to hear from us today. We've given you a cross-section, we think, of our membership in Toronto. We have 20,000 members in the Toronto area. Each of us is going to talk a little bit from our own individual perspective on the issue before us.

The Chair: Could you introduce your colleagues, please.

Mr Humphrey: My name is John Humphrey. This is Pearl Henry, this is Najib Soufian and this is Fred Shipley.

Personally, I am a machinist. I work for a company called Ontario Store Fixtures, which is in the Weston-North York part of Toronto. It's the second-largest manufacturer of store fixtures. It's a big industry which lots of people don't know about.

I'm the president of Local 5338, which has 2,400 members. We're scattered, in terms of where we live, throughout the southern 905 area and the north of the 416 area. The very hard-working work for us, I have to say, and the predominant feature is that at least 90% of our working members are first-generation immigrants. We've come to Canada, and that includes me, from all parts of the world, from all continents, from all cultures, from all religions. We have a very big Sikh membership from the Punjab. We have a very large Buddhist population from Vietnam. We have a very large Catholic and Protestant population from Latin America and the Caribbean; Muslims from the Middle East and Africa; Hindus from India, and so on and so forth. We have a very diverse workforce.

To recent immigrants, education is very near and dear. It's a very important factor of their lives in Canada. They come to Canada to get better lives, not just for themselves but often even more for their children. In fact, they come and they sacrifice for their children, and education is a key component of what they're looking for in Canada and is, generally speaking, what they get from Canada.

I think above all they are looking for the public education system to provide, first of all, obviously, skills, language and so on that will help their children to get ahead; secondly, an acquaintance with Canada, knowledge of how things work on this continent and in this country; and, then, they want their children to become part of the mainstream of Canadian life. That's a very important part of public education.

I think there are growing concerns about the state of public education which get voiced in our membership meetings: the impact of cuts, the decline of facilities, of extracurricular activities, and some of the tensions that we know have been in the system very recently and so on. But generally speaking, there is an overwhelming commitment to public education.

The issue of this tax credit, I would say, concerns 0.01% of our membership. I give it a figure because you should never say never and there are probably one or two of our members who maybe scrimp and save and for some reason have their children in private education. But we're talking about people from a whole variety of cultural backgrounds, and I would say that private education absolutely doesn't register on their radar screen as an issue for them. So this is not offering them something they are fighting for. In fact, I think it offers to siphon stuff away from what they are fighting for. I think we regard this legislation as helping to divide the school population, that young population, rather than to unite them and bring them together and advance them.

Speaking personally, as I say, I'm a first-generation immigrant myself. My partner and I have six children, four of whom have gone through the public system, one

of whom is still in the elementary system and one of whom is in the middle school system. I have to say, from my involvement with the schools they're in and have been in, I value the spirit of multiculturalism, of curiosity about all parts of the world and so on that is instilled in the public system. I think it's a great advantage and it's better than I got when I went to public school in England. I think they get values of tolerance, respect, knowledge and so on that are crucial elements of the immigrant experience, and I would hate to see that divided up. I think there are elements in this tax credit which offer to do that.

Our fear is—and the other members will talk for themselves—that we are seeing here the beginning of a two-tier system. I know that Brother Flaherty is holding up a hand-written sign saying, “No two-tier education,” but we're seeing other people doing that and we believe there is a push in that direction. That's really what we want to fight. We are concerned with our workplaces but we're concerned with our social life, our communities and so on.

Our members, as I say, are not interested in this and they see it as a threat to what they came to Canada for.

I will hand it over next to Brother Najib Soufian.

Mr Najib Soufian: My name is Najib and I'm working in the furniture industry as a polisher. I'm really glad to be here in front of you to present my viewpoint regarding public education.

As a matter of fact, I have three children in the public system who are aged from seven to 12 years. My experience is that for a few years, since the cutbacks, I've been experiencing a lot of shortage in my family. As a matter of fact, every night I come with unexpected expense, my three children asking me for \$7 or \$5 for activities. I cannot even regulate my budget.

1710

As a matter of fact, I am a Muslim, and when I look at these public schools—and I am a practising member of the Muslim faith—I believe strongly in Ontario's public education system, like most immigrants in this country. I came here for my children, and I want them to grow up in faith. That's important to me, especially, to follow my religion and my culture, my language, in every respect, in every walk of life. But I also want them to become Canadians. I don't want them to be different from other Canadian students. I want them to experience the diversity of Canada and I want them to believe there is every possible opportunity to succeed.

For those goals I depend on the public education. I cannot afford to send three kids, if I want to be a Muslim faith follower, to separate school and pay for separate education. As I said, I'm a devout Muslim, but I do not want my children to be educated in a Muslim-only environment, and I want them to experience the richness of all Canadians, all cultures and education. I think those other children also benefit from the fact they are sharing the school experience with my kids.

I have got one simple message for the government: get back to the real job of strengthening Ontario's public

education system. Funding private schools is a bad idea, and funding private schools when the public school system is in chaos because of cuts and underfunding. I remember my first child, when he went to school about 10 years ago. I have never worried about sending him to school with some money in his pocket for some kind of activity, like swimming, playing soccer, or some kind of visit to the science centre and those kinds of things. But today I am going through that kind of thing for three kids. My job depends on how much I can work in a day, and I come home once a week with a paycheck which is already divided into my life's system. I don't have extra cash to pay for any extracurricular. But today this situation is putting me in a very hard situation. Furthermore, if this situation eliminates into a private—my kids today benefit from a lot of Canadian kids. I am scared to death whether they are going to reach the higher education where I aim my goal.

Ms Pearl Henry: Good afternoon, gentlemen, ladies. My name is Pearl Henry. I work for Ontario Store Fixtures. I am a Canadian citizen. Also I am a Steel-worker and proud of it.

I came here today because I have a great concern regarding the educational system. I need to say something about myself and the reason why I came to Canada and why I'm worried. I am from Kingston, Jamaica, and when I was in Jamaica I won—in Jamaica, you have a system where you pass, not all scholarship but half. My mother was a poor woman. She couldn't afford to send me to the private school, to pay half of it, so I ended up having to leave school because she couldn't afford it. I came to Canada at 19 and I had my first kid here. I swear to God that I don't want the same thing happening to my kid that happened to me when I was back in Jamaica.

I often hear from people that it's important in public education—the meeting place for kids, for children of different ethnic and cultural backgrounds—and about their concern that funding of private education will determine what important role—and I did agree with that.

As I said, I'm an immigrant woman of colour. I came to Canada and I have my kids here. This bill is permitting every family to send their children to a private school of their choice. It's about supporting the choice of high-income families to send their kids to private school, and by doing so it supports the segregation of children of this province by social class. It points toward an Ontario in the future which is one that everyone who can afford to do so will send their kids to private school and in which someone who cannot afford to do so will send their kids to public school. This is a two-tier system, having two education systems, one system for the poor and one for those who, if they can afford, will get out of it.

I would like my daughter to stay in the school that she's in, to get involved with kids of different cultures, different classes, rich or poor, and be proud to be poor. I'm asking you to deal with it in the right way and help rich kids, poor kids, the same way. Help build a public school system back to what it was before when I came to Canada and what my dreams for my kid were.

Mr Fred Shipley: Ladies and gentlemen, my name is Fred Shipley. I'm with Canadian Facts, which is a large market research company located in downtown Toronto. I thank you very much for the opportunity to say a few words to you this afternoon.

I personally have two children. They are both graduates of Ontario's elementary and secondary system. I have to say that I'm glad for them that they are not in the system now to experience the chaos that the Harris government's cuts in funding have created.

A healthy public education system could not be more important to Ontario's economic future. A healthy public education system could not be more important in building the mutual respect and understanding of our differences that is so vital to the future of this community, a culturally diversified community, Toronto being the most culturally diversified community in the world.

I believe that nothing could be worse for Ontario than an attack on public education, yet that is exactly what the government of Ontario is doing with this bill. Public education is already starved for funding thanks to the policies of this government. The bill will make things worse. It would direct funds that should be used for public education into private schools. It will provide a strong incentive for more and more people to abandon the public education system in favour of private schools and will pave the way for fully privatized, voucher-driven education that could destroy the public system.

The \$300 million that this bill would divert away from public education will further contribute to the damage that this government has already done. Ladies and gentlemen, I ask you to defeat this bill. Thank you for your time.

The Chair: Thank you. We have a minute and a half per caucus. I'll start with the government side.

Mr Galt: Thanks for your presentation. It's obvious that you're not exactly in support of some of the programs that we've brought in. It's interesting to note that as we've brought in quite a few programs, the opposition have of course opposed them, the union has opposed them. We brought in things like improved curriculum, standardized report cards and regular testing, and it's amazing how, down the road, the teachers very much support these various activities.

I've had some difficulty following that the unions have disliked every Minister of Education. I was on a school board in the late 1970s and Bette Stephenson was the minister at that time. Lo and behold, they disliked that minister and they've disliked every minister ever since. What's the problem? Isn't there possibly a minister, over 25 years, that the teachers' union might have liked, might have supported? They have been opposed to the ones in the Liberal government, the ones in the NDP government. What's wrong with this picture? I don't follow.

Mr Humphrey: We're not talking about individual ministers. We're talking about the specific policy

proposals. This isn't a personal thing. We're dealing with the actual policies. That's our only concern.

Mr Galt: I'm just taking it back over the years—

The Chair: Mr Galt, I've said a minute and a half and I have to interrupt. I have to go to the official opposition. Mr Phillips.

Mr Phillips: I thought you had spoken to the bill and to the content of the bill and your concerns about it. It had nothing to do with whether you're a union or not. I disassociate myself from Mr Galt's remarks. I appreciate the Steelworkers. They're a well-regarded and well-researched union.

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Your concern about it was echoed very much by the government when they presented this brief two years ago to the United Nations. I would urge the Steelworkers to get the brief, because then Premier Harris was making exactly the same arguments you're making today. Let me quote to you a couple of things he said, because then they were arguing against expending funding.

They said that if we were to extend funding, it would "undermine the ability of public schools to build social cohesion, tolerance and understanding. When diverse populations separate themselves from the general mix, the public system is the poorer because the opportunities for understanding and accommodating differences are diminished." This is the Harris government talking, the same language you just used, I might say. It "would result in the disruption and fragmentation of education in Ontario.... If ... funding were provided for private religious schools, it is difficult to see why it would not also be required for schools established on the basis of language, ethnicity or culture. The benefits which Ontario receives from a public education system which promotes the values of pluralism, multiculturalism and understanding, would be diminished."

Two years ago they were making almost the identical argument the Steelworkers have made to us today. Why do you think the government has suddenly done a 180-degree turn on this and headed in the opposite direction?

Mr Humphrey: That's for the government to answer. I think those things that were said, as you say, echo what we are saying.

The Chair: With that, Mr Phillips, I have run out of time. I have to go to Mr Marchese.

Mr Marchese: New Democrats appreciate your presentation. It reflects the view of many people of Ontario. What we're saying as New Democrats is that we are unequivocal. We don't support the idea of public dollars for private education, not for religious schools and not for the private schools, which don't need our help, because at some of these schools they pay \$16,000 for tuition fees. Those people don't need our help.

We are saying that the public system already offers some good stuff to reflect our diversity. We offer international languages at the Toronto board, although they're disappearing because the government isn't giving it much support any more. International languages teach language and culture. We also do religious readings that

reflect the different communities. We teach black studies in part of that international program at the Toronto board, and native studies as well. We could also provide religious education for those who want to study and learn about education. Don't you think that's the better way to go in terms of reflecting our diversity?

Mr Shipley: We certainly do.

The Chair: With that, we've run out of time. On behalf of the committee, thank you very much for your presentation this afternoon.

THE MAPLES INDEPENDENT COUNTRY SCHOOL

The Vice-Chair: Brian Logel, principal of The Maples Independent Country School. In total you have 20 minutes for the presentation and also for the responses from the three parties. Whatever time you don't use in your presentation will be divided three ways. Just state your names for the sake of Hansard and go ahead with your presentation.

Mr Brian Logel: Brian Logel.

Ms Philomena Logel: I am Philomena Logel.

Mr Logel: We own and operate a small, independent elementary school just outside of Orangeville. We support the government's tax credit initiative as an equity and justice issue. We thank the committee for inviting us to speak to you today.

We represent a school that's solely funded by tuition from 93 families. We receive no funding except a small grant from the federal government for teaching French. This is our 12th year of operation. We have 115 students. We teach from junior kindergarten to grade 8. We don't provide transportation but our students are drawn from a radius of about 50 or 60 kilometres. About 80% of our families are middle or lower-income families. We have some single-parent families. Our population reflects the ethnic diversity of the area. We have a good mix of gifted, regular and slow learners.

Our school follows the Ontario ministry curriculum for all subjects in all grades. We use the ministry standardized report card, IEP forms etc. We use standardized testing to evaluate our students. We have no uniforms but we do have a strict code of behaviour. We offer a full curriculum including French, computer education and physical education. We offer an extensive arts program including instrumental music. We offer values education, which is a social skills and non-denominational religious education program. We limit our enrolment to 15 students per class. We have a waiting list in many of the grades.

Our teachers have all got Ontario teaching certification and university degrees. We supply all the textbooks and supplies for our students. Our annual fee is \$6,400, but we offer a family rate if there is more than one child in the school.

We contribute to our community, to the local tax base in our community through our very high property taxes. We pay GST on all of our services and goods. When we

built our building, we had to pay the local school board levies for new construction, both to the Catholic and public schools.

Our parents do some additional fundraising to provide extras for the students. Philomena and I are Ontario certified teachers. We taught for over 20 years in the public and Catholic systems for several different school boards. We began the school 12 years ago because we were looking for an alternative for our own three children. We only had three choices in our area: public, Catholic and a small Christian school. So our solution was to rent a community hall and form our own independent school.

We opened with 12 students and have grown steadily ever since. We are currently at our third location. We rented the church basement and we used portables until we were able to afford to build our own school. We used our equity in the school to mortgage the construction of our building, and last year we mortgaged our own house to finance an addition to the school of a gym and a library.

We feel the parents we serve are being discriminated against. They pay education taxes and they pay tuition fees. Each year we lose families because they cannot afford the tuition. Many of our families make do with old vehicles take or no vacations in order to have their children at our school. We feel that the method the government has chosen to right this injustice is very sound and right-headed. Giving a tax credit may help make a difference for some of our families who perhaps could not stay with us for more than a short time.

It comes much closer to really offering the citizens of Ontario a choice of how their children are educated. Many of the things we've heard this afternoon in this room indicate to us that there's quite a lack of knowledge in the province as to what independent education is all about and what we have to offer. I would like to invite all present to visit an independent school in their area. You're welcome to come to our school at any time and see that some of the statements that were made here today are not correct.

The Vice-Chair: We have about three minutes for each caucus, starting with Mr Phillips.

Mr Phillips: Thank you for your very thoughtful presentation. Obviously there are conflicting views on the issue, and strongly held conflicting views, for understandable reasons. I always find it useful to quote the government's document because it's less confrontational, I find. You're aware, I think, that the government of Ontario, the Harris government, presented a brief to the United Nations arguing against extending funding. They used quite a few arguments that frankly I find persuasive. Let me read you one. Just help us along as to why you feel this wouldn't happen.

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They said in this brief, "Extending public school funding rights to private religious schools"—in this case I realize you're not a religious school but a private school—"could result in a significant increase in the

number and kind of private schools and school systems, especially in heterogeneous urban centres. In addition, if public funding were provided for private schools established for the purpose of meeting specific religious needs, it's difficult to see why public funding would not also be provided for private schools established to provide other specific needs of language, or ethnicity, or culture. This would have an adverse affect on the viability of the public school system, which would become the system serving students not found admissible by any other system. The benefits which society now derives from a public school system would be reduced. Such potential fragmentation of the school system is an expensive and debilitating structure for society."

That's the Harris government's argument when they were arguing against it, that that would fundamentally weaken the public system and the public system would end up with, in the language they use, "serving students not found admissible by any other system."

Mr Logel: I guess perhaps the government has become more aware and educated in the meantime since that brief was put forth, and has obviously changed or modified their position. Once again, I applaud them for seeing the wisdom of their errors and changing to a more equitable system.

Mr Phillips: No, I understand that. Help me a little bit about why, though they haven't yet tabled any research to say why they changed their mind, you think that the public system—

Mr Logel: There's research from seven other provinces. There's research from New Zealand and from European countries saying that the funding of private education has not caused the public systems to deteriorate, but in fact the other systems have improved. There is research that I'm sorry I didn't bring with me today to suggest that introducing competition to the system has improved the public systems as well. Perhaps the Harris government wasn't aware of that. Maybe we weren't doing our jobs well enough to educate the government previously. Thank goodness, as I say, they have looked into this matter and have righted this wrong.

Ms Logel: There has not actually been a mass exodus from the public schools, even as this tax credit was announced. We haven't had great enrolment since then.

Mr Phillips: This was just two years ago when they had all that information.

The Vice-Chair: Thank you very much. We're up to three and a half minutes. We'll move on to Mr Marchese.

Mr Marchese: Mr Logel, what I gathered about your school that is different from other, public, schools is that your enrolment is 15 students.

Mr Logel: Yes, that's one of the differences.

Mr Marchese: Can you briefly, because I have a few other questions, tell me what else you do that is different from public schools?

Mr Logel: Actually we do what the Ministry of Education is recommending for all schools in Ontario. We just do it more efficiently for less cost.

Mr Marchese: You probably do; I have no doubt about it. What parents wouldn't want to be in a school where the enrolment is 15? I would want that and most of the Tory parents there would want that. Everybody would love to have that choice. But I don't think we can afford that kind of choice, because the government otherwise would have put in the money, but to give you that choice, to give you funding so you could keep your level of 15 as the enrolment—

Mr Logel: You're not giving the funding to us. You're giving it to the parents so they have that choice.

Mr Marchese: It doesn't matter to me. No, I understand.

Mr Logel: Right now they don't have that choice.

Mr Marchese: I appreciate that, but to give it to the parents so they can have their choice to have an enrolment of 15, whereas the public system has to have an enrolment that varies anywhere from 23 to 39, in some of the Catholic schools, is there a problem with that view, do you think?

Mr Logel: Yes, and I think what you're saying is that—maybe you can help me out here, Philomena—everybody should have that choice. Right now, not everybody has that choice. There's a financial restriction. So if the choice were made, if some finances were transferred to individuals, they could have the education—

Mr Marchese: But New Democrats don't want that system to break up.

Mr Logel: But it doesn't break up the system. Has the public system in any other province broken down since those schools are funded?

Mr Marchese: Sorry, but I'm saying, why would I want to give a parent who says, "Oh, I'd love to have a norm of 15," the ability, by paying them so they can go to a school where the enrolment for them is 15, but in the public system it's 25 or 30? Why would a government be crazy to do that?

Mr Logel: Why wouldn't we make this available to everybody?

Mr Marchese: No, I'm sorry. I believe in one public system, you see. I don't believe in the idea that I should fund someone so they can go somewhere, have their little school, and the ratio is 1 to 15. I believe we need to protect the majority of students, 92% of whom are not in private schools—92%, 93%, 94%. They're the ones who desperately need the help, because this government is not giving it.

Mr Logel: Why are these small schools a threat to the public system?

Mr Marchese: I can tell you the threat.

Mr Logel: In other provinces where the funding comes—

Mr Marchese: But let me tell you—

The Vice-Chair: Mr Marchese, let him answer.

Mr Logel: —enrolment doesn't rise; the numbers enrolled in independent schools do not rise dramatically.

Mr Marchese: But Mr Logel, here's the trick: if enrolments decrease—

The Vice-Chair: We have to move on to the government. Mr Tilson.

Mr Marchese:—automatically people are going to opt out because they want a school where the enrolment—

The Vice-Chair: Mr Marchese.

Mr Logel: They haven't opted out.

The Vice-Chair: It's now Mr Tilson's turn.

Mr Marchese: Oh, you've done research. The government hasn't done the research, and neither have you. Sorry.

Mr David Tilson (Dufferin-Peel-Wellington-Grey): The worst is over.

Mr Logel: Thank you.

Mr Tilson: I want to tell members of the committee that this school is in my riding.

Mr Marchese: God bless.

Mr Tilson: Absolutely. I support this school 1,000%. They do an outstanding job in our riding.

Mr Marchese: Of course they do.

Mr Tilson: It is not the wealthy school that the NDP and the Liberals continually talk about, a school for the rich. It is not a school for the rich. I know many of the people whose children attend this school, and they are not wealthy individuals; they are everyday, average people in our community, absolutely.

These people are outstanding educators in our community. They've proven that over the years. I have attended their school many times and have observed the programs they have put through. I have observed some of the people who have graduated from that school.

My question is—because the end of the world, according to the Liberals and the NDP, is coming with this legislation. The end of the world is coming; the end of the public school system is coming. They have said that over and over, that this legislation is the breakup of the public school system. I would like you to comment on those allegations.

Mr Logel: As I say, I continue quoting, it hasn't happened elsewhere; why would it happen in Ontario? If this was the end of the system, why hasn't our phone been ringing off the hook with people wanting to jump? The people who have been sacrificing and want to be there are there already. The people who have chosen to remain back in the system, for whatever reason, will continue to do that.

Mr Tilson: It has been alleged that these independent schools will conflict with the principles, the economics—I guess this is similar to the first question I had—of the public schools to such a degree that it will destroy the system. That's basically the same question, but it's put in that way by the Liberals and the NDP. Could you comment on that?

Mr Logel: We don't see how that could happen. We don't see how the independent system could alter the public system to that extent.

Mr Tilson: I thank you for coming to Queen's Park. Keep up the good work.

The Chair: On behalf of the committee, thank you very much for your presentation this afternoon.

ONTARIO PRINCIPALS' COUNCIL

The Chair: The next presentation is the Ontario Principals' Council. I would ask the presenter or presenters to come forward, please, and state your name for the record. On behalf of the committee, welcome. You have 20 minutes for your presentation this afternoon. Go ahead whenever you're ready.

Mr Rick Victor: Thank you. My name is Rick Victor. I'm the president of the Ontario Principals' Council.

The Ontario Principals' Council is a voluntary organization of principals and vice-principals in publicly funded schools in Ontario. We number about 5,000. Although it's voluntary, 95% of all the principals and vice-principals are members. We are one of the three principal organizations in the province. The Catholic principals have about 1,500 members and the French have 450, to put in perspective the number of schools that we represent.

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We are the collective voice for principals and vice-principals of public secondary and elementary schools. Our mandate is to advocate for students; to promote publicly funded education; to contribute to education policy development; and to work with the government and opposition parties, district school boards, school councils and other members of the education community to ensure exemplary schools for Ontario's students.

We were formed in 1998, when we were removed from our original federations. Since then, we have concentrated on not only protection of principals and vice-principals, but more importantly on the professional development of our members and also on researching education and educational trends in the province. We base our decisions on the expertise of school leaders, and we have a huge polling process and an e-mail process to make sure we represent our members.

I can tell you that as advocates of the public system, we cannot support the government's current proposal under Bill 45 to provide tax credits to those who send their children to private schools. We have been very, very hesitant to criticize governments about their actions. We believe the government has a right to govern. However, in this case we have decided to come forth and say that we think the approach the government is suggesting is wrong and that it should be abandoned.

In addition, in order for a diverse and multicultural society such as ours to thrive and succeed, the students in that society—we believe that we are the creators of future citizens. We, with the parents, with the communities, believe the public school system—an open, inclusive, and non-judgmental system that teaches respect, tolerance, understanding and acceptance of all students—is the system that should be endorsed and financed by the government through tax dollars.

A tax credit is financing private schools. No matter how you shake it, it's still doing that. We believe that channelling scarce tax dollars to private schools at the expense of public schools can seriously undermine a strong public education system and lead to its ghettoization. We cannot allow this to happen in Ontario.

Every child in this province has the opportunity to attend a publicly funded school and receive a high-quality education. Access is not dependent on income level or on academic performance. The provision of public education is good practice. It allows us as a society to ensure that all students have the ability to learn and succeed.

We recognize, though, that the government has a right to decide whatever it wants to do based on the democracy that we're in. We believe that, should the government decide to go forth with the proposed tax credit plan even though it would not be endorsed by our organization, the schools that become recognized for their students and the parents of the students to get a tax deduction must follow the same patterns and expectations, the same requirements and same levels of accountability as the publicly funded schools in this province.

Therefore, if a private school is given a number that would allow the parents to have a tax deduction, we believe that private school must be open and accessible to any student who wishes to enrol, regardless of race, culture, religion, ethnic origin, income level, disability or academic performance. The private schools must adhere to the Ontario Human Rights Code. They must, if they are going to be funded, be required to participate in the standardized testing by the EQAO. They must, depending on the results of the EQAO testing, develop action plans for continuous improvement. They must teach students at all grades and must follow the provincial curriculum. They must abide by all standards as outlined in the Safe Schools Act, 2000. They must maintain Ontario student records according to the Education Act. Teachers must be qualified educators and be members in good standing with the Ontario College of Teachers.

Teachers in private schools that are given recognition must be subject to any testing programs that are mandatory for public school teachers. Principals in private schools must be accredited educators and be subject to performance reviews, just as they are in the publicly funded system. Private school budgets must be part of the public record. And private schools must be inspected and accredited by the Ministry of Education if they are going to be funded from the public purse.

In conclusion then, on behalf of the Ontario Principals' Council, principals and vice-principals are on the front lines in the schools across this province. We have been working hard to introduce and implement all of the reforms that have been asked of us. We want to make sure that the reforms are in place and are working so that our students can learn, succeed and compete in today's society.

Despite the challenges, we are wholly committed to the principles of public education. We believe that public

education is good education and provides students with a quality education and an opportunity to learn alongside those who may be from different ethnic, religious or social cultures. The inclusiveness of the public system also allows students to learn about, understand and accept the diversity of the world in which they live.

Every day we work with dedicated teachers and support staff to foster an environment that not only encourages academic performance but also promotes tolerance and is nondiscriminatory. In this way, children become not only better students but also better citizens. Scarce public resources must be used to ensure that our system of public education is maintained and enhanced, not weakened. We want to welcome students and parents into our system, not encourage them to leave through financial incentives. We cannot have the education system of Ontario fragmented.

Thank you for the opportunity to present the views of the Ontario principals and vice-principals of publicly funded schools.

The Chair: Thank you very much. We have four minutes per caucus and I'll start with Mr Marchese.

Mr Marchese: Thank you for your presentation. Sorry, I had to step out for a few moments to deal with something else.

This is a tax credit proposal. The Minister of Finance introduced it. It's not an education proposal and they're not dealing with any of the educational implications. It's intended to give parents a choice. They want to help people who want that choice to be able to ease up on some of the financial difficulties they are having. The implications are tremendous, yet most of them don't want to deal with those educational implications in terms of accountability or certification or curriculum requirements, supervisory requirements and so on. What is your view of that?

Mr Victor: The most formative years of a student are their preteen and teen years, and the more they interact with students with other beliefs, with other histories, with other backgrounds, the more they interact on a day-to-day level with them, the better they understand each other and the more tolerant they are.

Mr Marchese: I understand that. It was a different question, but I'll get to your answer by phrasing another question. Mr O'Toole was saying yesterday that the opposition is threatening—he didn't mean threatening but perhaps that we are fearmongering is what I think he might have wanted to say. He said fragmentation is not going to happen, so you and I are wrong to say that. Harris said it a while ago, so he was worried. Now they all deny that Harris ever said that. But I'm profoundly worried about the funding of religious schools, because it does encourage people to go into religious schools. I certainly don't support money going to private non-denominational schools, because they certainly don't need my help. But in terms of the silos, I fear those silos. Are we threatening, are we fearmongering, or is this just a view that we feel different from the others?

Mr Victor: Our concern is not the competition but the concept. The concept is a promotion of fragmentation.

That's what the whole idea is. It's an enticement to leave the public system. Everyone who leaves causes a financial burden on a system that right now is financially strapped. So are we afraid of everybody leaving? No. That's not why we're here. We're here because we don't believe philosophically it's right. Philosophically we believe in a publicly funded, excellent education system that should be endorsed by the government of the day, no matter who the government is, because it is an excellent system. This tax incentive seems to me an implication that one should go elsewhere. That fragmentation is encouragement for students to leave what is a system that we believe creates wonderful citizens. We keep registering number one in all of the world, and it's because of the tolerance level we have, and we believe that tolerance level is because of the publicly funded system that we have right now.

Mr Marchese: OSSTF did a study—

The Chair: Mr Marchese, you've run out of time.

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Mr Galt: Thank you for your presentation. We had a presentation earlier today and I'd like to read a paragraph from it to see if you agree with them. It's from the Ontario English Catholic Teachers' Association. They, like you, do not agree with the tax credit that we are presenting.

In 1.01, "The Ontario English Catholic Teachers' Association is committed to the best education for all students in Ontario. Our faith impels us to respect the dignity and wishes of all faiths. It is the primacy right of all parents who desire religious education for their children to have that desire realized whether in the publicly funded system or in alternative schools. That right is not reserved solely for Catholic parents."

Under 1.02, "OECTA has a long history of support for public funding of faith-based schools on the condition they are accountable to the public."

Can you agree with these statements from that organization?

Mr Victor: I'll centre on the accountability. We've already said that as a government you have a right to fund other schools, to fund the presently non-funded schools. But the accountability part of it must be there also. In our document, which you have a copy of, we've gone through all of the aspects and it just says that all children—those children we all have a responsibility to—must be given an equality of educational opportunities and that equality is arrived at through accountability. It's an accountability in the level of instruction, it's accountability in the curriculum and it's accountability in having an open, see-through, very clear picture of what's occurring to those students in their education. That can be arrived at through the items that we've said any private school must have in order to be one of the registered private schools that a parent could get a tax credit for.

Mr Mike Benson: I don't think you would have any argument from us around the notion that there should be accountability for tax dollars, both in terms of efficient use and in terms of the return for that investment in a

quality education. Sure, no large public institution is perfect, of course. We work and struggle to improve it. A lot has happened in Ontario recently that arguably will address a lot of that. We disagree with some of it, we agree with a lot of it.

The question becomes, is it OK to have a faith-based system so long as it's accountable? We believe certainly there should be an accountability, but there's even a problem with a faith-based system, in our view, because it becomes very difficult to start to define that. We have our more traditional kinds of—we have the Roman Catholic system that's constitutionally present in Ontario, one might say other of the traditional kinds of groups. We understand those groups and maybe that's OK. But where do you start to draw the line on who does it? Should it be totally up to the parents? That's one argument.

If we really believe in a pluralistic kind of society that we have with many faiths and traditions and so on, that we need to live as a group in harmony and tolerance, that kind of that thing, I don't think we're necessarily helping get there by siloing our education based on various religious groups. Are the Wiccans OK? You can take it to ridiculous extents, I agree, and I don't want to be flippant about it or anything like that. But I think we believe that the better way to ensure a tolerant society and one with a quality education system is to have a public education system that teaches about religious tolerance, but the religion part perhaps is something that's more appropriate in the home, as opposed to in the publicly funded system.

Mr Phillips: Thank you for your presentation. I use the government's brief. People say the Liberals are being alarmist. I always quote from the government's brief. If you haven't got it, the clerk will get you a copy. It's the brief that the government presented to the United Nations two years ago. It uses language much like the language you used. I haven't quoted this one before but it says, "One of the strengths of a public system of education in a province and a country which are committed to a policy of multiculturalism is that it provides a venue where people of all colours, races, national and ethnic origins and religions interact and try to come to terms with one another's differences. Such a process is not without its problems and frictions, but the fact that the public school must deal with the varied needs and interests of the total population makes it a valuable institution for the creation of better understanding among the various groups. In this way, the public schools build social cohesion, tolerance and understanding."

That was a paragraph used at the time arguing against extending funding. The document is filled with comments like that.

The principals' association is obviously in a leadership role in the province. Are you aware of the research the government must have done to change its mind? Have you seen any studies that say, "What we believed two years ago and felt strongly about is no longer right, and we've suddenly changed our mind"? Has the principals' association been involved in anything of that sort?

Mr Victor: No.

Mr Marchese: How come?

Mr Victor: The simple answer is no. We have not been involved with anything with the government that would lead to the change in philosophy you are referring to.

Mr Phillips: My colleague has a question, I think.

Mr John Gerretsen (Kingston and the Islands): I have a question with respect to your standards of accountability. I think you've set out very clearly the 11 or 12 different criteria that, in effect, would make it almost become like a publicly funded school. First of all, does your association also include individuals from the separate—

Mr Victor: Yes. We're open to any practising principal or vice-principal in the province in a publicly funded school.

Mr Gerretsen: All right.

Mr Marchese: But they have their own association.

Mr Victor: Yes, they have their own associations. But, again, they're voluntary.

Mr Gerretsen: I would say that one of the areas where the private schools would have a problem is in your very first criterion, that they should be open and accessible to any student who wishes to enrol, because certainly a lot of the religiously based schools aren't that way. You have to adhere to the principles of that particular religion.

Would you agree with me that this tax credit business is akin to taking, in effect, anywhere from \$300 million to \$700 million out of what otherwise would be available for the public school system?

Mr Benson: It's only one consolidated fund. Presumably money not going in is the same as money coming out.

Mr Victor: Every student who decides not to attend a publicly funded school is a loss of \$6,000 to \$7,000 to that school board.

Mr Gerretsen: So, if you make more money available through tax credits or whatever to a private system, there's going to be less money for the publicly funded system.

Mr Victor: Even if the money were increased, we would not agree with the process, because we do not agree this is in the best interests of the collective beliefs of a creation for the citizens of this province. We think it crystallizes beliefs and doesn't promote an understanding of those beliefs.

Mr Gerretsen: When you set out these principles in this brief, it is purely in sort of an alternative situation. It's basically saying to the government, "We don't agree with it. But if you're going to implement it, at least have these criteria as part of the foundation on which this tax credit system can operate." That's what you're basically saying.

Mr Victor: We clearly understand that the government has a right to govern. That's what the whole thing's about. We wanted to clearly articulate that we are very opposed to it. We don't use the word "wrong." I'm a teacher. I don't say "you're wrong" very often. In fact, I can't remember saying "you're wrong." We decided to write "you're wrong" into our brief to emphasize how much we disagree with it. However, we do believe in a democracy. The government has a right to make decisions. And if that decision is going to be made, though we feel it's not in the best interest of the collective, at least then the principles we articulated should be put in place to make sure the students are protected, that they're given the quality education we believe presently exists in the public system—

The Chair: With that, we've run out of time, Mr Gerretsen. On behalf of the committee, thank you very much for your presentation this afternoon.

We are now adjourned until 9 o'clock tomorrow morning.

The committee adjourned at 1759.

STANDING COMMITTEE ON FINANCE AND ECONOMIC AFFAIRS

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Wednesday 13 June 2001

Journal des débats (Hansard)

Mercredi 13 juin 2001

Standing committee on finance and economic affairs

**Responsible Choices for Growth
and Accountability Act
(2001 Budget), 2001**

Comité permanent des finances et des affaires économiques

**Loi de 2001
sur des choix réfléchis
favorisant la croissance
et la responsabilisation
(budget de 2001)**



Chair: Marcel Beaubien
Clerk: Susan Sourial

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LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

STANDING COMMITTEE ON
FINANCE AND ECONOMIC AFFAIRSCOMITÉ PERMANENT DES FINANCES
ET DES AFFAIRES ÉCONOMIQUES

Wednesday 13 June 2001

Mercredi 13 juin 2001

*The committee met at 0900 in room 151.*RESPONSIBLE CHOICES FOR GROWTH
AND ACCOUNTABILITY ACT
(2001 BUDGET), 2001LOI DE 2001
SUR DES CHOIX RÉFLÉCHIS
FAVORISANT LA CROISSANCE
ET LA RESPONSABILISATION
(BUDGET DE 2001)

Consideration of Bill 45, An Act to implement measures contained in the 2001 Budget and to amend various statutes / Projet de loi 45, Loi mettant en oeuvre des mesures mentionnées dans le budget de 2001 et modifiant diverses lois.

The Chair (Mr Marcel Beaubien): Good morning, everyone. It is 9 o'clock and I would like to bring the committee to order. I don't have any issues dealing with anything in particular this morning, anything else that we need to raise. I think we've made arrangements for London. There will be a bus leaving at 7 o'clock in front of Queen's Park here Thursday night.

Mr Gerry Phillips (Scarborough-Agincourt): Mr Chair, have we got an answer back yet on how they arrived at the \$300 million? Mr Flaherty indicated he was going to look for his research on the reason they changed their minds. Have they given that to us yet?

Mr Doug Galt (Northumberland): I think it was in his office yesterday and it got mixed up.

Mr David Rampersad: We haven't had any information yet, but obviously I'll check with Larry Johnston.

The Chair: We'll follow up on that.

Mr Phillips: Great. Thank you.

ONTARIO FEDERATION OF HOME AND
SCHOOL ASSOCIATIONS

The Chair: Our first presenter this morning is the Ontario Federation of Home and School Associations. I would ask the presenters to come forward, please, and state your names for the record. On behalf of the committee, welcome. You have 20 minutes for your presentation.

Ms Sue Robertson: My name is Sue Robertson. I'm the first vice-president of the Ontario Federation of Home and School Associations. With me today is Yvonne Milwain who is the Region E vice-president.

For over 85 years, members of the Ontario Federation of Home and School Associations have been committed supporters of public education in Ontario. We believe that our best chance to develop strong, healthy, well-educated, committed and responsible adults is through our publicly funded education system. We have been front-line volunteers in our schools and communities over the years and have advocated to all levels of government, to school boards and to provincial ministries for changes that will better meet the needs of children.

In the past we have worked closely with governments, administrators and educators, full partners in decision-making that affects Ontario's children. We continue to be part of committees at the school, the school board and the provincial level, bringing the voice of some 16,000 informed and active parents to the table.

We want this committee to know that OFHSA's members do not support any move to provide tax breaks to parents who choose to send their children to private schools.

Let us be clear, first of all, that we do not believe the debate here today is about the merits of public versus private schooling. As strong proponents of the public education system, we do not believe we need to convince the government, which is responsible, after all, for this public system, that it is a valuable institution. Neither is this a debate about parental choice. Parents in Ontario have long had the choice to send their children to any one of a large number of private institutions. We are not asking that this change.

OFHSA members believe that a tax credit for private school fees represents a dramatic shift in public policy. This government has made it abundantly clear in the past, on more than one occasion, that its focus is the public education system, not private schooling. In fact, both the Premier and the education minister are on record as saying that any public financial support for private schooling would have serious negative consequences for public education. What has changed since Minister Janet Ecker said that this government "continues to have no plans to provide funding to private schools or to parents of children who attend such schools"? What has changed since Premier Harris said that any voucher system

"would run directly counter to Ontario's long-standing commitment to public education"?

Offering a tax credit for private school fees contradicts the government's strongly stated position. We ask again, what has changed to make this a desirable move on the part of our government? Has there been some new research, some new evidence that such a move will help our public education system improve? Is there some document we can turn to that will help us understand such a reversal in position?

As early as last January, OFHSA members wrote to the Premier asking that he not even consider making such a change when the idea was brought forward by Mr Murdoch as a private member's bill. Our members have not heard any public debate that would explain the government's shift in position. We have not seen any press coverage, any research studies, any public outcry to support this change. Let us be very clear: we're talking now about public tax dollars, mine and everyone else's in the room, being used to support private schools.

Our members are very distressed to see this government use its majority vote to ram through a major change in public policy that we do not believe taxpayers support. Indeed the government cannot say that taxpayers support this move, since they haven't asked them. These short days of hearings have very little credibility as a province-wide consultation on what constitutes a major shift in policy. Hundreds of speakers have been denied the chance to speak to this committee, and hundreds more are disenfranchised because they live too far from the five centres where the hearings are being held.

OFHSA members believe that this clause, brought forward as it was as part of a much larger bill, represents a very poor model of governance. If the government was considering changing its very public position on this issue, it should have had the courage to hold public hearings and to gather input from a broad base of constituents before moving forward. A separate bill should have been introduced in the House to allow a thorough airing of this idea. Such a dramatic change should not be presented as just one clause, buried among hundreds of others in a tax bill. This is not a model of what good government should look like.

OFHSA members believe, as other taxpayers in Ontario do, that government should not use its authority to sneak through major changes in public policy without a full public hearing. We know the government is committed to passing this budget by the end of June. It is impossible for there to be full public hearings that can reach constituents across the province under such time constraints.

OFHSA has repeatedly called on the government to remove the clause dealing with the tax credit from the rest of Bill 45, and to send it to committee for extensive hearings and more careful consideration of the changes that will result. Many groups have come forward with concerns in regard to this change. The process of committee hearings allows sober consideration of all the

implications of such a move. This clause deserves such sober second thought.

Taxation in Ontario is designed to pay the costs of public services. Roads, hospital care and public education are some of these services. Taxpayers do not pay taxes to cover the cost of their own private use of these services. The costs of services are met through a general tax levy, and not tied to whether an individual taxpayer actually uses a particular service or not.

The government's offer of tax breaks to parents who pay private school fees flies in the face of this practice. The government states that this tax break is about fairness to parents who have to pay twice for education for their children. First of all, no parents are forced to opt out of the public system. Parents choose to pay fees to send their children to a different kind of school. That is certainly their right, but that choice in no way excuses them from their obligation to support the public education system through their taxes. No other taxpayers are excused from paying their fair share of the costs for education in Ontario. Taxpayers with no children or taxpayers whose children have graduated from schools are not given a tax reduction to make the system fairer.

Governments have an obligation to set tax rates and collect the taxes we need to run public services that can best be provided through one publicly supported system. All taxpayers are obligated to pay their share; this includes parents who send their children to private schools.

0910

OFHSA members believe that this move will damage our public education system. The Premier's and the government's support for this tax break says to everyone that our government believes that private alternatives to public education are a good and necessary thing. By providing tax breaks, the government is actively encouraging parents to opt out of the public system. They are working to make private education more affordable for parents in Ontario. What does such a move say about a government's commitment to a strong, well-supported public school system that can and will meet the needs of all students? Government should not be in the business of paying cash incentives to people to opt out of public schooling.

The government has also talked about the cost in tax dollars of allowing these tax credits. We have heard figures ranging anywhere from \$300 million to \$700 million. The Premier assures us that the money does not come out of the education budget but from general revenues. As the government has been quick to point out on numerous occasions, all tax money comes from the same pockets. If general tax revenues are down, then the funds available to pay for public education are also down. Even \$300 million could purchase for our students services that they require to be successful. More teachers and support workers could be hired, better transportation could be offered, solutions to extracurricular problems could be reached, new text books could be provided and

better training for staff could be implemented with these dollars.

School boards are currently funded through a per pupil allocation. Whenever a school board loses a student to private school, it also loses the grant allocation for that student. OFHSA members see at first hand many of the places in our schools where inadequate funds are undermining the work of our public schools. School boards are already struggling to meet the needs of students under the current funding model. Special education, transportation and supply budgets often cannot meet the needs of students currently enrolled. School boards cannot afford to lose even one dollar of funding.

The members of the Ontario Federation of Home and School Associations have been very active in opposing this tax credit. We believe that the government has no business encouraging taxpayers to opt out of a public education system that it is charged with protecting and improving. Instead of listening to the lobbying efforts of people who have chosen not to use the services we know are essential to the growth and development of all students in Ontario, the government should be looking at its obligations to make our public education system the best that it can be. The members of OFHSA would appreciate the opportunity to have the same influence over public policy that this lobby group apparently has. Please tell us how we can get the same attention to our concerns.

The Chair: Thank you very much. That leaves us two minutes per caucus. I'll start with the government side.

Mr Ernie Hardeman (Oxford): Thank you for your presentation. I want to first of all agree with you on the opening of your presentation of the government's commitment to the public education system. I can assure you, as for my children, those who have finished have gone through and those who haven't finished yet are still in. So I totally agree with you there.

One of the things, though, that has come out during the hearings thus far is that the folks who send their children to an independent school, for whatever reason—and the ones who have presented so far have been primarily for religious reasons—do not believe that they get the type of education they want for their children in our public system. A lot of that relates to—and I've been around for quite a number of years—the way our education has changed over the years. Do you believe that all the needs of all the parents can be met in our present structure? You say that parents should have a right to send their children there but, regardless of how strongly they believe in the need for their children, they shouldn't get any help in making that happen because, if they can't afford it, then they should be forced to be like others.

Ms Robertson: The way I see the debate is that it's the government's responsibility to support public education, not to support alternative forms of education. In the Ontario Federation of Home and School Associations we support one publicly funded system of education that's open and accessible to all students—

Mr Hardeman: Not two?

Ms Robertson: Not two. One. Catholic schools are also publicly funded education system schools, right? We believe in one publicly funded system.

If parents believe—and it's certainly their right to make choices for their own children and the education that best meets their needs. They have every right to look for an alternative, but it isn't the government's place to fund those choices for those parents. If they believe that their students' needs can't be met in the public system, then they have choices open to them. But it isn't the job of government to support those choices.

It also is still the obligation of those people, like all taxpayers in Ontario, to support the cost of public education. It isn't just for people who have children in school. I don't pay my education taxes to educate my children; it's to educate all children in Ontario. That's the model of OFHSA: the best for each student, each and every one, is in the public system.

Mr Phillips: Just before my question, a piece of information. The government tabled some numbers yesterday that actually show spending on public education is going down \$75 million in this year, 2001-02. You've heard that it's supposed to be going up \$360 million. You should get a copy of this document that was filed yesterday.

Thank you for your thoughtful presentation. My question is this. The government prepared quite an extensive brief two years ago arguing against extending funding. I often quote from it because it reflects some of my concerns of extending it. One of the paragraphs says, "... if public funding were provided for private schools established for the purpose of meeting specific religious needs, it is difficult to see why public funding would not also be provided to private schools established to provide other specific needs of language, or ethnicity, or culture. This would have an adverse effect on the viability of the public school system, which would become the system serving students not found admissible by any other system. The benefits which society now derives from a public school system would be reduced. Such potential fragmentation of the school system is an expensive and debilitating structure for society." Those are the words of the Harris government with their brief two years ago arguing against this.

Has the home and school association been made aware—and I know in your brief you indicated that perhaps you've been so far unable to find it—of the rationale for the government deciding to change its mind completely on this?

Ms Robertson: What I have seen and what I've heard are exactly what I've read in the paper. I've heard Mr Flaherty and the Premier quoted in the paper saying that this is about fairness for parents, that that's the reason they're moving forward with this. We don't believe that's the case.

Mr Rosario Marchese (Trinity-Spadina): Mr Flaherty came to this meeting the other day and said that he's been hearing from parents who want to have educa-

tion taught in their own religion and their own culture. That surprised me because, as you know, they got rid of the Anti-Racism Secretariat, the welcome houses; they're all gone. ESL has disappeared from citizenship. So it was an incredible kind of revelation to hear Mr Flaherty say that.

I think the best way to deal with our multicultural diversity is to look at what our public system is already doing. In Toronto we still teach international languages, which is teaching the languages and the cultures of the different communities. We do prayer readings that reflect the different religions of all of the over 100 cultures that we've got. We should also be teaching courses in comparative religions. Isn't that the best way to reflect our diversity, rather than saying that the way to do it is to make sure people have their own religion and their own culture taught separately and independently somewhere?

Ms Robertson: I hear what you say and I think that's exactly right, that it is the job of public education to meet the needs of all the students who come in the door. However, that doesn't say to me that parents don't still have the right, if they choose to, to choose an alternative education program for their children; just that governments shouldn't be supporting it with funds.

The Chair: We've run out of time. On behalf of the committee, thank you very much for your presentation this morning.

0920

FRIENDS OF PUBLIC EDUCATION

The Chair: Our next presentation is from Friends of Public Education. I would ask the presenters to come forward and state your names for the record, please. On behalf of the committee, welcome. You have 20 minutes for your presentation.

Mr James Barrass: My name is James Barrass. I'm here today speaking on behalf of Friends of Public Education. With me to speak to you is Gordon Cressy. I'm going to take a couple of moments just to introduce who we are as a group, and then Mr Cressy is going to outline the proposal that we'd like to put to the committee this morning.

Before I begin, I'd just like to refer to the cover sheet of the document that we've given you. It's a little sweeping in its title, and I apologize for that. We are referring specifically not to the total bill but to the portion of the bill that deals with the tax credit. I just want to make that clarification for you right away.

Friends of Public Education is a grassroots organization that had its origins last fall in one of our school council meetings at North Toronto Collegiate, which is a high school in midtown Toronto. It was a regular monthly meeting and a number of parents were very concerned and expressed their concerns about issues that they were feeling with their children's education at the time. Out of that concern was born a group with the desire to have an influence on the course of the debate on public education and the management of public education

in the province. We raised funds and placed a couple of full-page newspaper advertisements in the fall and just encouraged people to express their concern and join us. We received close to 1,000 responses and were very surprised that a large number of those responses were from outside the city and across southern Ontario.

We established a Web site and received endorsement from school councils from a large number of schools across the province. We've engaged in discussion with various education groups and we had a meeting with Education Minister Ecker this winter where we made a proposal in terms of improving the flow of funding to the public education system. So our thrust has basically been to try to make a constructive contribution to the ongoing process here.

In terms of our composition, the committee that meets in our group, we are a non-partisan group. We have people in our group who are probably sympathetic to the different parties in the province. What unites us is obviously our concern for the public education system. Our belief is that it is one of the cornerstones of our province's civil society. We respect the great tradition of public education in this province. I think it's something that we have a huge pride in, and obviously we are concerned at the risks and the dangers that this social institution may crumble or weaken with political decisions that are taken today.

Our purpose in asking to appear before the committee today is to express our concern at the way apparently a very major decision is being taken. Here we are at the standing committee on finance, and obviously this is an issue that goes far beyond just the fiscal area. It's something that affects the fabric of society in the social area. So we are very nervous that there could be unintended consequences and that the haste of this particular initiative is going to make difficulties for this government and for the province in the time to come.

Our concern during the past year has been to work for greater funding for the public system, to rescind some of the cutbacks for boards such as Toronto, and to increase funding overall. I think our point here is to try to be constructive and work with you in your committee to see if there are some ways that we can improve a process that's being embarked on with part of this bill.

I'm going to just pass this over to Gordon.

Mr Gordon Cressy: Thank you, James. I've been around a long time. I've been vice-president of two major universities in the city. I've run the United Way. I've headed the Learning Partnership. I've chaired the Toronto board of education. I've had two children who went through the public system and I have two in the public system.

I start with a fundamental belief, stated by one of the major CEOs in this country, that the public school is the foundation of democracy in the neighbourhood, and if we diminish confidence in public education, we diminish ourselves. Simply stated, my view is that public policy on education funding should not come through the finance

ministry and it should not, assuredly, emerge without thoughtful and reasoned debate.

In the history of schooling in Ontario, the seminal work is by Cameron. Most of you don't know this, but let me share it with you. The original funding was for public education and separate. Separate was broader than just Catholic schools. There were a number of Protestant schools that were funded and, believe it or not, coloured schools were funded. It was in the legislation for almost 80 years until someone figured out that it should no longer be there.

My view is that rather than these hearings, we should defer this for one year. There is not money involved in 2001. Appoint a group of eminent persons beyond reproach who have the credibility in this province to come in with something that we would all concur with. Who would those names be? They'd be people like Bill Davis, who really did change education from a system of winners and losers to a system for everybody. If the middle class abandons public education, we wind up with a system for winners and losers, and that is not what public education should be about. They are people like Rob Prichard, the former president of the U of T, who returns to this city. They are people like our former Lieutenant Governor, Lincoln Alexander. They are people like Maureen Kempston Darkes, the president of General Motors, who has so defined herself on this issue.

They don't come with a particular bias, but when we are talking about as serious an issue as we are today, the idea is to pause, to put the best minds at work we can put and come back to all of us; because whatever the conclusion, if we try to do it in June, it will be divisive. We know that. It will be felt divisively. There are people who are strongly supporting this too, who will feel successful, but it will have divided us rather than united us.

So our position is quite simple: get the best minds to work on this issue. We've had a long history of public education. The government funded a portion of UTS for years. Most people don't know that, but they did. They quietly took that away. So if we're going to move down a new track, we can't do it in this format.

We have a position at The Friends of Public Education that unless we restore confidence in public education, we are in difficult times. So we come with a bias to it and we acknowledge that. However, what we do believe is that, in terms of process, the opportunity you have now is to do something that can build credibility whatever the decision would be.

I think a group of eminent persons—we saw how it worked in South Africa and we're mightily pleased that Nelson Mandela will be coming back to Canada this fall—is a way through this. It will present credibility for all sides of the House, and the government, in effect, could take the lead on it. So that's our position.

The Chair: Thank you very much. We have three minutes per caucus, and I'll start with the official opposition.

Mr Phillips: I thank the Friends of Public Education. I'd just say how much I appreciate the proposal, which I think is a good one.

I might add—I don't get a chance to do this often on the public record—I know Gordon Cressy well, and wherever he goes, he makes a long-term impact. I think the United Way in Toronto is a model organization, heavily because of what, in my opinion, you did, Gordon. The partnership program is a good example. You led that operation, and I think it's a terrific operation, and U of T. So I listen carefully to what you say because you do make a difference.

I think you also make a good point. The next group coming is the Jewish community which holds a strong view on this. I think you're very right that whatever way this goes, it will be very divisive.

Just in terms of your concerns about the impact of this if it were to proceed, what might the consequences be for public education, but I think more importantly, for Ontario's society?

0930

Mr Cressy: As I understand it now, 94% of the students in Ontario are in publicly funded schools. I'm one who supports independent and private schools. As a matter of fact, I will consider that for one of my children, although I never have until now.

If we move to 20% or 30%, as has happened in some other places, then I think we change fundamentally. It becomes a stampede. All of a sudden there is a feeling it doesn't work any more. We know that already occurs with the high-end private schools from cocktail chatter in this city. Toronto Life wrote an article about how people start to move.

I guess in this city particularly we should be a city that brings people together, and if groups leave—I'm one who grew up in north Toronto and, before I left for CUSO, I hadn't met anybody who wasn't white. That's a true story. I went to Lawrence Park Collegiate. At age 19, when I went on an airplane to Trinidad, I'd never met anybody in my whole life—going through school—who wasn't white. My children have a very different experience in public school and they are the better for it. If we start a trend line that says "Let's go," I think we are on a slippery slope that is divisive, divisive.

The Chair: Mr Marchese.

Mr Marchese: I thank you both for your presentation. I'm not sure you will be successful with your suggestion of having this government defer this issue, and while two polls have been done already to show that they're moving in the right direction, the majority of people oppose this. I'm not quite sure that they're listening to them either. Much of their politics is about division. That's what I've been seeing over the last six years. I hope you're right and I hope they will defer this issue and possibly have a different kind of debate, because I think it would better.

What they've been saying so far is that we should trust parents to make the choice they want. If that choice includes religious education or private, non-denominational education—and by the way, nobody has come

from that sector—that should be a choice parents make and they're willing to fund it. That's what they're saying.

They're also saying there will not be a stampede. "You people are fearmongering," is what they're saying to us and presumably they're saying that to you. "There will not be a stampede, because other provinces show that people haven't flocked to the other systems. So trust parents to make the choice for themselves, and don't worry; public funds will continue to flow and nobody will stampede to the other system." What do you think?

Mr Cressy: I've spent most of my life as a fundraiser. That's what I do. We know that tax incentives work for raising money. We fundamentally know that. It works in big universities; it works in the United Way. When tax policy changed as an incentive for giving, donations went up significantly. When we changed tax policy on giving of shares, donations went up significantly. It's a simple fact. It does flow from that.

I have, though, more confidence in the government that the idea of eminent persons will give a better, more thoughtful, reasoned discussion. I think there are names that have come out of the Conservative Party over the years who have a history in education that is extraordinary, and some of those names I think would well have interest. I chatted with David Crombie yesterday about this issue and I think that could happen. We don't really know the judgment of whether it flows or not, but my expectation is that it will start.

The Chair: You've got one minute left, Mr Marchese.

Mr Marchese: It's good for you to have that confidence. We hope that the government, of course, is listening. We haven't had that experience. That's why I'm sometimes pessimistic on this side.

The tax credit to us is a new experience. This is a tax credit that is bigger than a voucher that says, "Here's \$2,000." A tax credit means more than that when you do your income taxes—I think Hardeman is squinting and not understanding it; I don't know what he's saying—but it's bigger, and the implications of it are wider. I think you're quite right that more and more people will take advantage of it.

The polling done by OSSTF suggests that 15% of the public is willing to consider or is going to consider taking that up. If 15% of the population takes it on, we've got to close to, who knows, \$1 billion, \$2 billion out of the system. Even if half take their money, take that option up, it's still a big problem. I think you already spoke to that and I'm not sure if you can speak to the percentage.

The Chair: Thank you, Mr Marchese. We've run out of time.

Mr Galt: Thank you for your presentation. It's very thoughtful. Congratulations on the organization that you've put together. Your presentation is certainly very genuine and very responsible and I very much appreciate that.

I also appreciate the suggestion you've come forward with: something to move on rather than not to do. You're suggesting some people who could sit on a commission and I certainly respect that.

You talked earlier also about education costs and flowing the dollars. One of the things I was running into when I was on a school board in the 1970s through the 1980s up until we came into office, and it was almost to riot levels in my community, was the cost of education on the property taxes. When I sat on municipal council as reeve and warden, people were getting very vicious over the spiralling education taxes on their property. It's something we have turned around.

I guess I'm coming around to the concern that you've been expressing. I'm just giving that background, the taxes, because that was the big issue out there and our government's been trying to sort some of that out. It's arguable, you know, whether there's enough money. We're hearing it.

The concern you have is this great flow that may move over. That, to my understanding, hasn't been the experience in other provinces. I think I heard you say in some jurisdictions it's been like 30% or 33%, or 35%—one of those figures you used.

Could you relate or tell us what jurisdictions those are? Is it Canada? Is it the US? Is it someplace else in the world?

Mr Cressy: Two things: I too not only sat on the school board but sat on city council, and when I was on the school board it was one debate and when I was on city council it was another debate. So I acknowledge your point quite well. I'm not referring to Canada. I am referring to some parts of the States where transfer out of public education, particularly in California, has moved quite extensively, not so much out of tax credit but just because of disenchantment with the public system.

I'm coming first with the principle of restoring confidence to publicly funded education. That, to me, is a crucial thing to happen. The dilemma with this at this point in time: there is a feeling that the two are connected. I know that your government has said the two are not connected, but there is a feeling that they are. What I'm trying to do is get to the disconnect of those two so that you can have this debate on its own as distinct from education funding, which is another debate, and I acknowledge that.

I guess part of what went through my head is having seen the idea of eminent persons succeed in certain settings in a way that it brings down a kind of credibility to it when it comes, and it becomes non-partisan, and I think we have some wonderful minds in this province that could be part of the solution rather than something that helps some people at the perceived sense of disadvantaging others. So that's the dilemma you face, in effect.

The Chair: With that, we've run out of time. Gentlemen, on behalf of the committee, thank you very much for your presentation this morning.

0940

CANADIAN JEWISH CONGRESS, ONTARIO REGION

The Chair: Our next presentation this morning is from the Canadian Jewish Congress, Ontario region. I would ask the presenters to come forward, please, and state your name for the record. On behalf of the committee, welcome.

Mr Ed Morgan: Thank you, Mr Chair, honourable members. My name is Ed Morgan. I am the Ontario region's chair for the Canadian Jewish Congress. With me are Bernie Farber, our executive director, and Simon Rosenblum, our director of public policy.

We have handed out the written submission and I'm not going to read it verbatim. I want to save time for questions, obviously, so I'm going to give you a condensed version.

The Canadian Jewish Congress is described in an appendix to the written submission we've given you here. It is, in short, the foremost advocacy group for the Canadian Jewish community across the country and in Ontario. We are an umbrella organization whose constituent organizations are virtually every Jewish organization, institution, synagogue and, in particular, Jewish day school, in this province. We've been at this for a long time. We've been at the issue of independent school funding for a long time. You can read our history on this issue also in our submission in the first paragraph or two.

I'll start by saying that we fully support the proposal by Finance Minister Flaherty that parents who send their children to independent schools will be given a phased-in tax credit of up to \$3,500 per child per year. There are many in our community of course who would have preferred a fully implemented tax credit beginning in 2002, but we appreciate that at its maturity in 2006, this measure will relieve a significant part of the cost borne by independent school parents.

In our view, the government has not only moved to remedy an outstanding inequity in education, but it has affirmed principles of cultural protection and choice that are fundamental to a liberal society such as ours. It has proved that our mandate to protect multiculturalism is not, as a colleague of mine at the other Toronto law school has said, a rhetorical flourish rather than an operative principle.

What the government has done is to put our foundational principles at the forefront of policy. In doing that, I would say they have taken seriously the admonishment contained in the 1979 report done for the United Nations General Assembly, which accurately said that because of the enormous costs involved in cultural development—I'm quoting here—"the right granted to members of minority groups to enjoy their own culture would lose much of its meaning if no assistance from the government concerned was forthcoming." It's simply not enough to pay lip service to principles like multi-

culturalism. We have to be ready and willing to pay dollars, to put our money where our words are.

The new budgetary policy seeks to revive what I believe is the true meaning of what were referred to at Confederation as the dissenting schools. The original idea of publicly supported Roman Catholic schooling was to ensure funding for those who dissent from the educational mainstream of the public schools. In this, the founders of our country seem to have grasped a concept that would take academics in the social sciences and humanities another century to come to grips with, and that is, that curriculum design is a profoundly value-laden and ideological choice, an ideological exercise.

The public schools, in our view, have to be commended. We do not set up Jewish schools as a criticism of public schools. The public schools have to be commended in particular and fully supported for providing curriculum that reflects the values of a broad sector of Ontario society. But the values and skills imparted in the public schools are not necessarily right for every child and for every family. Some want whole language; others want phonics. Some want ancient Hebrew and immersion in ancient Hebrew text; others want ancient Sanskrit. There no right or wrong here in education choice. In supplementing public education with support for approaches that differ philosophically, that differ theologically or pedagogically from the mainstream, the government has truly brought into the 21st century the 1867 notion of dissenting schools. Our educational value system, like Ontario society itself, is not monolithic; it has to be open to alternatives and choice.

We know that policy innovation like this often comes with initial criticism, initial opposition, and in the three weeks or so that have passed since the Ontario budget was announced, opposition groups have mustered a series of arguments designed to preserve the status quo by instilling a fear of change. During the first week, we were met with the cries of financial ruin for the public schools, ignoring the fact that this partial tax relief for independent school families will not come out of the education budget, as the finance minister has promised, and that in any case, it represents a very small portion of the overall education budget.

The accusation was also made that there is something sinister about the way the Ontario government proposes to provide this money. In the western provinces and Quebec, governments pay dollars directly to the school, while in Ontario the government proposes putting money directly in the parents' pockets through the means of a tax credit. Economically, however, these are two sides of the same coin. In one situation the school gets the money and can thereby reduce the tuition, while in the other situation the parent gets the money directly to offset up to 50% of the tuition costs. To suggest somehow that the use of tax credits instead of cash payments to the schools is to be in some way bribing the parents to send their children to private schools, as some of the critics have suggested, simply is not tenable.

During the second week after the new tax credits were announced, we were met with accusations that social intolerance could be taught at religiously based schools. In my view this ignores the fact, first of all, that these schools have been in existence for many years with no sign of these evils that have been attributed to them and, in addition to that, that Ontario has 150 years' experience with publicly financed Catholic schools, which have produced perfectly productive and perfectly healthy Ontario citizens who are fully tolerant of other traditions. We are no different and we will be no different.

Finally, during the third week since the tax credits were announced, we've been met with the plea that they benefit the rich, ignoring the fact that they are designed, first and foremost, to provide relief to middle-class families with children in schools like Jewish day schools, that is, community schools whose tuition levels run at roughly the public school cost of \$7,000 per student. No one will move to a \$15,000-per-year elite school because of a \$3,500 tax credit.

The assortment of our position arguments—I would stress this—must not be permitted to deter the path of legislative innovation. The experience in the other five provinces that provide this kind of funding has demonstrated that no mass exodus out of the public school system will occur and no serious fragmentation will occur.

One only has to look at British Columbia for a relevant comparison. Some 10% of its children are in independent schools and it has not been going up. I would say that Vancouver is as multicultural a city and quite comparable to Toronto, and there is nothing to suggest that Ontario's experience will in any way differ from British Columbia's. Ontario presently has roughly 5% of its students attending independent schools. One could predict a gradual shift upward toward the British Columbia level of 10% over some period of time, although I would note that in British Columbia the figures for independent schools also include Catholic schools, which are not part of the public system in that province.

In all, legislation designed to foster innovative approaches to education and to resolve existing inequities simply cannot be permitted to wither on the vine out of unsubstantiated but often repeated fears.

On that note, I'm going to end by commending to everyone in this panel the report of the Shapiro commission of October 1985. We've just heard a plea for more study of this issue. Well, we know that the Bill Davis government in 1984 put a royal commission on this topic and that it reported in 1985. I read this again—it looks intimidating but in fact when you get rid of the appendices, it's only about 45 or 50 pages—last night.

It's a remarkable study, and one thing that's remarkable about it is that all of the opposition arguments to independent school funding were put before the Shapiro commission: that the cost of funding independent schools would be too dangerous and too heavy for public education, that social fragmentation and intolerance might occur if independent schools are funded, and that they

only benefit the rich. All of these series of arguments were put before the Shapiro commission. In a very intelligent and sensitive way, the commission analyzed these, considered these, sifted through them and ultimately dismissed them, recommending funding for independent schools.

If you read this and you have any sense of irony and humour, like I do, you will be somewhat tickled by the fact that we even had the same players voicing the opposition arguments. So we had in fact the Ontario Secondary School Teachers' Federation and the Ontario Public School Trustees' Association all making exactly the same arguments you have heard in the past few weeks. Indeed, the arguments at the time were, "The time isn't right. After so many years of damage to the public system, it's time for us to fix the public system before we look at the independent schools." Those were exactly the arguments made, and we know what happened. Subsequent to this, we had the David Peterson government, we had the Bob Rae government, and the time never came. All those governments came and passed, but the time for independent schools never came. So when you read this, as I recommend you do, you will see that all of the opposition arguments are a new packaging. They are literally new cartons for the same old spoiled milk that we heard 15 years ago.

I'm going to finish with one quote, if I may, from the Shapiro commission report. I think it sums it all up for us. Shapiro said in his conclusion: "The commission believes that the argument against the status quo is a very strong one. The constitutional provisions"—which we often heard discussed in our discourse today—"that are usually advanced to justify the special status of Catholic schools serve only to describe the history. They do nothing to inform us about what we ought to do. In terms of this moral choice, it seems inappropriate for Ontario to continue to offer to its Roman Catholic community an educational option not offered to other communities as well."

I dare say that everybody in this room who has thought sensitively about Ontario education policy knows that is true. The status quo is simply not a moral option for Ontario.

0950

The Chair: We have approximately three minutes per caucus.

Mr Marchese: Professor Morgan and other friends that I know on this panel, I just want to say that I respect the work that the Canadian Jewish Congress does, but on this issue we disagree. I just want to say that so that it's clear. I don't really have any questions other than to say that New Democrats do not support private schools and we don't believe public dollars should go to private schools. We've held that view for a long time; I continue to hold it. There's a difference of opinion.

The teaching of international languages is something I promoted as a New Democrat on the Toronto Board of Education, while others have fought it for years. I think it reflects different cultures through language. It's not

adequate for some; I know that. I love the fact that at the Toronto board we have different religious readings that reflect the different cultures. I know it's not enough for some people but for me it's a wonderful expression of showing our diversity and reflecting it. Native studies are taught there and Black heritage is taught. I really believe that the teaching of different religions is something we ought to be doing. I know it's not enough for you, but for me it does reflect the diversity of our country in a way that is good for society and good for me as a New Democrat.

I appreciate what you're saying. Obviously the government has listened to you. Hardeman is smiling. We as New Democrats don't support it and that's the position we've taken. I know they are not reconcilable.

Mr Morgan: Let me just say in response that we understand. It's fair that we agree to disagree. We understand the New Democratic Party's position. We heard it during the Rae administration and we've heard it again recently. Our view is, of course, that this is essential to multiculturalism, not just peripheral to multiculturalism. On that, I'm going to let my colleague Mr Rosenblum respond briefly.

Mr Simon Rosenblum: I would just like to point out an interesting fact to the honourable member. About a year and a half ago we commissioned a Focus Ontario poll, one that was asking questions in regard to educational fairness and the extension of funding to denominational schools in light of the provision of such funding to the Catholic schools. When the poll was broken down on the basis of party preference, it was in fact the supporters of the New Democratic Party who were the strongest supporters of all three of those parties, who said, "This inequity must be corrected."

Mr Marchese: If I had a choice, if there was a choice between—

The Chair: Mr Marchese, we've run out of time. I'm sorry.

Mrs Tina R. Molinari (Thornhill): Thank you very much for your presentation this morning. It's very extensive and it certainly touches on a number of criticisms that have been brought out. I especially appreciate the way you've outlined the first week, second week and third week, because I think in the fourth, fifth and sixth we'll be hearing a lot more coming up; some reiteration of what's already been out there and some new things that are suddenly going to come out, these fears there seem to be within the system.

I'm glad you dispelled the myth that this is going to cause a large exodus from the public system. You've indicated in your presentation that this type of tax credit is not going to entice any great number of people to exit the present system.

What I'd like you to expand on a little—and you've touched on it in your presentation—is the whole issue around choice and the fact that we as a government believe that parents have a choice. It's been indicated in some of the previous presentations that you do have a choice. You've got a system, you can pay for it and you

can go to that system. That is a choice. But I've heard in my constituency office in the riding of Thornhill from many parents and families who tell me why the public system is not a choice. I'd like you to expand on some of the cultural reasons why that system is not a choice for those who choose to have a Jewish education.

Mr Morgan: I'm going to let Mr Farber address that for a moment.

Mr Bernie Farber: It's actually a very good question. In the Jewish tradition, there are numerous religious rules and regulations that are just not feasible within the public system. There are rules regulating diet. There are rules regulating holy days. There are rules regulating time when a child has to be home on a Friday, especially during winter. There are issues centring around some of the holiest days of our calendar. Those are all issues that traditional Orthodox parents find are just not applicable in the public school. But more than that, we run schools that are not just Orthodox Jewish day schools. It literally runs the gamut from what we refer to in our tradition as Reform, Conservative and Orthodox, so literally from the religious left to the religious right.

All these parents who choose a faith-based system want a system that inculcates Jewish theology, Jewish history and Jewish values. It is clear that a public school not only should not do that, but cannot do that. So should those parents somehow be penalized as a result of that? I remember when my kids were growing up; we lived in a relatively multicultural neighbourhood in Toronto and my neighbours beside us were Roman Catholic. To this day we're great friends, but it always struck me as odd that their children had the right to attend a Roman Catholic school and get a very good and decent Roman Catholic education and my children did not.

I reflected on the fact that we were both taxpaying citizens of this province and we both contributed equally to the benefit of this province, and yet that neighbour of mine had more privileges than I did. Frankly, and I presented this to my NDP friends and my Liberal friends, and I say it again, that is not right. I don't know how anyone with a democratic sense of understanding can sit here in this committee room and say, "We're willing to live with a little bit of discrimination." I have fought for human rights all of my life, and in my perception this issue is a matter of human rights. Specifically it is not correct, it is not right, and the way to rectify this is at least the start that this government has given, and that is this tax credit. We cannot maintain the status quo.

I thank, by the way, not just this government, but the Roman Catholic community, which has stood four square in support of the position of the government on this matter.

The Chair: Thank you very much. Mr Phillips.

Mr Phillips: Thank you, and I appreciate the congress and echo what Mr Marchese said about the terrific work you do. This is a very divisive issue, as we all know, and I've had some long conversations with the leadership.

The point you make is a compelling one in the sense that I think your argument is the Roman Catholics have

funding and other communities don't. I believe we have to assume that from your community, justice requires the same funding for the Jewish schools as for the Roman Catholic schools. In all my conversations with at least Simon, it's seen as this being a good first step, but we should assume that the Jewish community—because it's a matter of principle. As you just said, Mr Farber, you cannot live with your next door neighbour having, as a Roman Catholic, different treatment.

My view is that we should assume this road leads to full funding for other religious schools, the Jewish schools, and that this is a substantial first step, but just a first step. Am I wrong in that impression, from the Canadian Jewish Congress point of view, that their justice will be full funding?

Mr Morgan: The only answer I can give you is that we don't know what government in the future will decide to embrace as a matter of policy. What we have always advocated is equality, but also we've advocated some relief. So on one hand I do stand on the principle that equality means equality. On the other hand, our advocacy is sensitive to both the economic and the policy milieu in which we exist in Ontario, and we are not unappreciative of the fact that this is the first government, the first policy step that's ever been taken in our direction. So we do not want to quibble with what we've been given. We were out there without any help at all, and now someone's given us partial help. We don't quibble with partial help. We appreciate it and we think that it's an admirable first step and an admirable step for any government to have taken. No government has taken it ever before.

The Chair: On behalf of the committee, thank you very much for your presentation this morning.

1000

ORGANIZATION OF PARENTS OF BLACK CHILDREN

The Chair: Our next presentation is from the Organization of Parents of Black Children. I would ask the presenter or presenters to come forward and state your name, please. On behalf of the committee, welcome. You have 20 minutes for your presentation this morning.

Ms Keren Brathwaite: Good morning. I welcome this opportunity to speak to you today about a matter that deeply concerns the Organization of Parents of Black Children.

My name is Keren Brathwaite. I am a founding member and a chair of the Organization of Parents of Black Children and will make a statement on behalf of our organization opposing public funding for private schools in the form of tax credits proposed by Ontario's government. OPBC is a firm supporter of public education in Ontario and has worked for many years to make the system stronger and more responsive to the needs of all of the students it serves.

OPBC joins with other groups to oppose tax credits which will increase access to private schools while removing much-needed resources from our public educa-

tion system, which is the system the large majority of our students attend. We need public education; it is the only system most of us can afford.

OPBC joins with other groups to draw attention to the current underfunding of Ontario's public education system, the consequences of which are now felt by our students in the schools. The quality of their education is sliding. The breadth and depth of their education are being curtailed by underfunding in the Toronto District School Board, for example, where prioritization can be used for removing some of what we as parents and educators consider essentials.

Student learning is being compromised, I believe, by some of the funding models. It is not an overstatement for me to say that Ontario's system is in decline and we are the witnesses to the quality of education we expect for our students gradually eroding. The Toronto District School Board was recently hosting consultation meetings with parents to hear their views about which programs should be cut. What should be the priorities? In some schools, library, music, art and other creative programs which often add enjoyment to our children's life at school are limited, and in some cases eliminated. Further, with new and challenging curriculums in math and language, parents are complaining to OPBC that their students need more assistance with their courses than they are receiving.

OPBC is therefore committed to strengthening the education system rather than allowing students to exit it because its ability to serve them has deteriorated due to underfunding and increased access to private education.

Our organization, founded in 1980 to advocate for inclusive and anti-racist schooling for our students and to give black parents a voice in education, has from its inception worked for a strong and responsive public education system for all of the students of Ontario.

We have very good reason to do this. Central to our support is the fact that nearly all of our students attend public schools. This includes my own children. This is what we can afford, and we expect it to be of the highest quality. In 21 years of OPBC, I know of only one of our members whose daughter is attending a private school, and the reason is that she won a scholarship to a prestigious private school.

We are public school supporters. It is in this locale that we have been participating, because we want it to be the best system, serving the needs of all of our students. It is in public education that the majority of our students prepare to assume their future roles in Canada, make their mark and become contributors to their family, community and, importantly, to national development. It is in this locale, public education, that our students are most exposed to the valuable diversity of our society which, in itself, provides training in tolerance and in appreciating the values of anti-racism, equity and inclusion.

This exposure also allows excellent preparation for future leadership. In Ontario, the government should be allocating more resources to strengthening these public

schools rather than holding out tax credits to lure students and parents into abandoning them.

In addition, I would like to emphasize that although we support the system with our tax dollars, many of our students in the public system are not receiving the level of attention and support they need to achieve success. Our research indicates that black students as a group at this time—and I would add that this a concern of historic proportions in Canada—need more inclusion in the curriculum and programming of schools in order to improve their retention and their academic success. We need to do more for the students who need more: aboriginal students, black students, Portuguese students, students from homes and neighbourhoods with low socio-economic status, students who require more language preparation ESL, students with disabilities etc.

We are calling on the government to pay attention to the variety of needs of the students in the public schools, which require more resources and funding for the inner city schools, for literacy, for ESL and for the delivery of inclusive curriculum. These special needs ought to be attracting more resources and, in some cases, special provision as with the integrated international languages program, which has been under threat even this past winter.

I would add that the Black heritage program offered in the Toronto district board, however, has been in an anomalous situation since its inception. OPBC is again calling on the government to fund the Black heritage program, which, since it began in 1979, has not received direct funding for its operation.

In all deliberations, we ought to remember that the public system is ours collectively. We expect to use it to equip our children for their future, for making their contributions to Canadian society, for assuming positions of leadership, which we believe should not be the domain of the privileged and private-educated, as we observe happening in Canada at this time.

This is our system. Let's strengthen it, not foolishly give its needed resources to the private schools. OPBC will continue to work with others to keep public education in Ontario strong, inclusive, accountable and serving the interests of this present generation of students and the generations of the future.

1010

The Chair: Thank you very much. We have three minutes per caucus, and I'll start with the government side. Mr Spina.

Mr Joseph Spina (Brampton Centre): Thank you, Ms Brathwaite, for coming forward today. Just out of curiosity, are you related to Harold Brathwaite?

Ms Brathwaite: No.

Mr Spina: He's the chair of the Peel board of education. I just wondered out of curiosity.

Mr Marchese: Not the chair; he's the director.

Mr Spina: He's the director. I'm sorry. You're right. He's the director, not the chair. I just wondered.

Ms Brathwaite: If you'd like to know, he's speaking at OPBC's meeting on Thursday about these tax credits.

Mr Spina: You know him, though. Yes, all right. That's good. Mr Brathwaite is a very good director of education.

Mr Marchese: He's opposed to the tax credit.

Mr Spina: Well, we know that.

Ms Brathwaite, you were here in the room I know during the last presentation, from the Jewish congress. I wondered if you had an opinion on their position, when the gentleman indicated he lived next door to his Catholic neighbours and how he felt that they had privileges because they were being funded out of the public system and, as Jewish people, they were not. I wondered if you had an opinion on that, whether you thought that was fair.

Ms Brathwaite: Yes, I have an opinion. My opinion is that I respect the historic arrangements re education, and I also respect the right of any parent in Ontario to send their child to a public or independent school. But my position, and the position of the OPBC, is that we ought to keep public education strong to serve the needs of the students in the public system and not to allow its erosion, which already has been happening.

Further, I spoke with a Jewish colleague recently whose child attends a private school, and she said to me that she would like to return the tax credit when she receives it, because she is fundamentally against it. So I think we all have separate opinions.

Mr Spina: Well, first of all—

The Chair: Mr Spina, we've run out of time. I have to go to Mr Phillips.

Mr Phillips: Thank you for all the time you take on behalf of the students. I want to quote to you a couple of things from the government's own brief of two years ago, just to see whether you can help us understand why they've changed their position. They say if Ontario "were required to fund private religious schools, this would have a detrimental impact on the public schools, and hence the fostering of a tolerant, multicultural, non-discriminatory society in the province." This is important: "This position of the province of Ontario is supported by expert evidence in reports and affidavits." In other words, this is a position that Ontario took as a policy, and they had it supported by expert evidence in reports and affidavits.

They went on to say in this that "if public funding were provided for private schools established for the purpose of meeting specific religious needs, it is difficult to see why public funding would not also be provided to private schools established to provide other specific needs of language, or ethnicity, or culture." Then they—this is the province of Ontario, the Harris government—say, "This would have an adverse effect on the viability of the public school system, which would become the system serving students not found admissible by any other system. The benefits which society now derives from a public school system would be reduced. Such potential fragmentation of the school system is an expensive and debilitating structure for society."

That was what Premier Harris said two years ago. What would have caused him to change his mind from all that expert testimony they had two years ago? Do the parents have any idea?

Ms Brathwaite: As parents, we want to know what's going through the Premier's and the government's mind. We have been seeing some actions which we consider strange. Our position is that we will support governments that support us having our students educated in an equal fashion. I'm here representing the Organization of Parents of Black Children, and I'm sure you are aware of the history of black students' education in Canada. In the 19th century, there were white parents who did not want our children being educated with them. So to be educated in an environment which is inclusive, anti-racist, in the public system is extremely important to us, as you know. We had to be pushed into separate schools in the 19th century because of racism in this country. So the public system is ours to improve and ours to be part of, educated with all the other groups this system serves.

For our parents, private education is not an option. The parents cannot afford it nor do they want to seclude their children in schools which are limited in focus. Most of the parents to whom I speak, nearly all of them, want to educate their kids in the multicultural, multi-ethnic, multiracial Toronto, Ontario, that we know and to benefit from it.

We know, in terms of future leadership, this is going to assist the direction—and I mean the very positive direction—of Ontario and Canada. We need people who understand what equity means in society. We believe that this government has taken away anti-racism and equity principles from education. Our organization is calling on the government to return to these principles.

Mr Marchese: Thank you, Ms Brathwaite, for your presentation. I support your position, New Democrats support your position and the majority of people in Ontario support it as well. You speak about anti-racist programs which—I know the government members are a bit busy with other things, so they're having a hard time focusing on our issues.

The Chair: Mr Marchese, I think I can share with the committee that I don't like to see other discussions going on, but when the discussions are going on on this side, I don't point that out to anybody. So I think you should pose the questions to the presenter and go on so that we can get on with the order of business.

Mr Marchese: Usually, Ms Brathwaite, I don't have any conversations, because I'm alone. I listen to you, I listen to them, I listen to the Liberals, I listen to everyone. I think it's important when deputants come for at least one or two members to be paying attention. I think that's a useful thing to be happening, Mr Chair.

The points you raised are critical for me. Anti-racist work is critical in our society. The Toronto board of education has done it for a long time, has done it well, could be doing it better. If this government is so committed to giving money to private schools and to funding private schools in their own culture and religion, why

wouldn't they be committed to restoring some of those principles that you spoke about in terms of reflecting our diversity? Why would they have gotten rid of the anti-racist secretariat, for example? Why would they have done that if they're committed to this issue, that we need to reflect the diversity and teach education in their own language and religion? Why would they get rid of the anti-racist secretariat?

Ms Brathwaite: That is the question which has bothered the parents with whom I work and the African-Canadian community. We are thinking about the future of our children. Will the system continue to respond to them? It is a system in which they are enrolled. So we have serious concerns.

I have been sitting on the committee advising on secondary education for the past five years, and in that committee we have tried to raise the issues of school retention, academic success and more resources for those students who are at risk of dropping out of school. We are not hearing a response that is going to tell us that these students' education will be strengthened. We are at risk of losing so many of our students from school.

There are countless studies. If I were to bring our research to you here today about the education of black students, there is so much you would have to read. There have been studies on dropouts. There was the Stephen Lewis study, which rang alarm bells, which connected to the academic research that has gone on, every student survey etc of what is needed to retain our kids in school, make them competitive with those students exiting to the private schools.

1020

Mr Marchese: The Black heritage program—you spoke about it and other people have spoken about the critical need to have it as a way of reaching out to young people of colour. We're losing that program. With a fight, we were able to maintain it for another year, but I'm not sure how long it's going to last. Isn't that the case?

The Chair: With that, we've run out of time. On behalf of the committee, thank you very much for your presentation this morning.

Mr Spina: On a point of order, Mr Chair: We don't comment on when Mr Marchese leaves the room to go—

The Chair: Mr Spina, that's not a point of order. I'll deal with it. Thank you.

Mr Marchese: When four people are talking it's dumb, OK? That's the point. If you have a deputant here and four people are talking on the other side, you have a problem. That's what I'm saying.

CERTIFIED GENERAL ACCOUNTANTS' ASSOCIATION OF ONTARIO

The Vice-Chair (Mr Doug Galt): The Certified General Accountants' Association of Ontario is next. Would you state your name. You have 20 minutes in total for your presentation and responses from the respective

caucuses; whatever you don't use would be divided three ways.

Mr Paul Moloughney: Good morning. My name is Paul Moloughney, and I'm a member of the Certified General Accountants' Association of Ontario. The Certified General Accountants' Association of Ontario is an association of professional accountants representing approximately 13,500 certified general accountants, more commonly referred to as CGAs, and approximately 9,000 students across Ontario who are enrolled in the association's programs of professional study. I am also an elected member of its board of governors. It is my pleasure to have the opportunity to present to this standing committee today.

The May 9, 2001, Ontario budget provided personal tax cuts. These cuts will allow more money to remain in the hands of Ontarians to allow them to continue to spend and fuel our economy. In addition, it will allow our residents to maintain and continue to improve our standard of living as a whole. This will attract more qualified workers to the province. In addition, it is better to have a lower personal tax rate applied to a broader base of people. Additional personal spending will fuel the economy by creating demand. This is important both to sustain long-term growth and to remain globally competitive.

The corporate tax cuts introduced will also help to continue to stimulate our provincial economy and make us more competitive globally. Reduced corporate tax rates will encourage businesses to come to Ontario and also encourage others to stay in Ontario. These cuts will allow more money to remain in corporate hands to allow for continued expansion. Corporate spending also creates demand and it also allows businesses to continue to modernize and therefore remain globally competitive.

We are part of a global economy and therefore must think and look globally when making decisions. These factors seem to have been taken into consideration in this budget.

We also know the budget introduced additional measures to reduce the compliance costs Ontario businesses incur. Governments need to collect tax as their source of revenue. However, a business's source of revenue is from selling product or providing services, yet businesses play an important role by assisting government in collecting its revenue. This is a cost to business. However, it was good to see that the budget is reducing some of the cost of acting on behalf of the government. Three things came to mind: first, the waiving of one late filing penalty for retail sales tax purposes; second, allowing corporations with between \$2,000 and \$10,000 of liability in the previous year to make quarterly tax instalments instead of monthly instalments; and third, any claims for less than \$500 annually for gasoline, fuel and tobacco tax refunds no longer require copies of all documents to be attached and submitted. The government should continue to reduce the administration burden imposed on businesses that assist it, the government, in its revenue collection.

The government should continue also to provide selected incentives to allow businesses the opportunity to keep current with technology and remain globally competitive. We believe that when the proper incentive is used, the payback to the government in terms of additional tax dollars is a multiple of the initial cost. This would include both tax credits and accelerated write-offs for activities or expenditures like R&D or other special property acquisitions.

The Certified General Accountants' Association of Ontario thanks the standing committee for this opportunity to present our brief comments in this public forum and wishes you all the best as these hearings continue.

The Vice-Chair: Thank you very much. We have approximately four minutes per caucus, beginning with Mr Kwinter.

Mr Monte Kwinter (York Centre): Thank you very much for your comments. I just want to explore your thoughts on a couple of things that I've had a lot of problems with. There's no question that tax cuts are desirable—without question. It's obvious that if you cut taxes, businesses are going to have more money to spend, individuals are going to have more money to spend. But one of the problems we have is that these tax cuts were initiated at a time when we were in a deficit position, so effectively money was borrowed to give these tax cuts. The rationale, of course, was that the Ontario economy is booming because of these tax cuts, when in effect—just like another issue that we are currently debating almost exclusively at these hearings; the tax credits for education are not going to really come into effect until 2003 and be fully implemented by 2006.

The government would stand up and say, "Our gross domestic product is booming as a result of our tax cuts," when those tax cuts hadn't even cut in. Basically the reason we were booming was because of the booming economy in the United States, and now, of course, the economy in the United States is not booming the way it was. We're now projecting—I've heard people who've appeared before this committee and the pre-budget hearings say it's expected that we'll be at about 2% gross domestic product as opposed to the 5% or 5.5% it has been in the last couple of years. If these tax cuts are so great, we should be going even higher instead of going lower, which indicates to me that notwithstanding that the government side always says, "Don't tell us it's the United States. It's because of our tax cuts that the economy is booming"—what happened to the economy that the growth has shrunk by half, even though there has been an acceleration of tax cuts?

Mr Moloughney: Firstly, I'm not sure if the tax cuts should get the full credit for the economy as it moves up and down. I've been in the business world for about 19 years, and personally I feel our economy is not as dependent on the US as it was 19 years ago or even 10 years ago. It's more of a global economy. We're seeing more investors from elsewhere in the world and therefore more influence from elsewhere in the world.

There's no question that the tax cuts do benefit us. I cannot quantify to what degree. I cannot quantify where we would be if we didn't have those tax cuts. But there is a measure of benefit. Without being able to pull out my slide rule or whatever and attempt to project, I'm sorry, I cannot answer that question.

Mr Kwinter: Just to your comment—

The Vice-Chair: You have about half a minute left.

Mr Kwinter: I just wanted to let you know that statistically, if anything, our dependence on the United States is growing and the inputs from the other parts of the world are diminishing slightly, so we are getting even more dependent on the United States than the reverse.

Mr Marchese: I've got similar concerns, because I've been asking the government to show economic evidence for this great economic boom we've had as a result of the tax cuts. The answer I expected is what you said, that it's hard to quantify, although I read a couple of years ago that they said possibly \$30,000 could be attributed to the tax cut. I think it was a year or two ago; I don't remember how long that was. We're going to be spending, by the end of next year, close to 12 billion bucks on tax cuts, both individual and corporate, and we don't have any money, it seems, for post-secondary education, where they've cut cumulatively \$1.2 billion—but Hardeman is so happy to say they've poured money in. At the elementary and secondary level they've cut \$2.4 billion, but Hardeman is happy to say, "We put more money in."

1030

The health care system was reeling in crisis, home care, our support for our seniors, was reeling. They're talking about privatizing health care because, they say, "We don't have any money," but they seem to have money. People don't see the wonderful effects of this wonderful economy because their wages have been stale for the last 10 years; some have seen increases. The gaps are increasing between you guys—the people you represent, because I'm not sure how wealthy you are—and the others at the bottom. Some 50% of the workforce is earning less than \$30,000 a year, and you and they are saying, "This is a must, we've got to do it. It's great. It's good for the economy." People are not seeing it.

So, I'm saying to you, how do we restore some sanity into our social world, which is slowly disappearing, when you and the Conservatives are claiming that the tax cuts, both individual and corporate, are critical for us to be competitive? Do you see how loony it seems to people like me?

Mr Moloughney: Again, personally speaking here, I am a tax person myself.

Mr Marchese: So am I. So is everybody else.

Mr Moloughney: I'm a tax person; I practise income tax, corporate income tax.

Mr Marchese: A bad tax person.

Mr Moloughney: I'm also a taxpayer. That's why—

Mr Marchese: Oh, tax person versus taxpayer, I beg your pardon.

The Vice-Chair: Give him a chance to answer, please. Give him a chance.

Mr Marchese: Oh, no, I want to.

Mr Moloughney: I often deal with global companies making decisions as to where to locate. They look at many factors. They look at everything from the quality of the workforce to the provincial legislation or local legislation at the various levels, and they also look at the cost of doing business. In addition, they also look at exit strategies, to be quite honest and open with you, because at some point they may leave.

There have been a number of situations I have worked in where, at the end of the day, even though we look to the US and other provinces and say our tax rates are favourable or good, the other provinces or states say theirs is better, and they quote percentages. There have been a number of studies that say we're as good if not better, because when you go through all the detail—you can't look just at that chart that shows our marginal rate level for the province of different income—we are very competitive. I haven't seen a chart since the May 9 budget, but my assumption is that we are more competitive.

It's to a point where a number of clients have actually stayed away from the tax question, "What's it going to cost for me to carry on business in Ontario?" because they see us as being very comparable to elsewhere. Then they look to our workforce, and in my mind our workforce, if we can have a good tax rate which will—there have been all kinds of articles in the last year or so about people leaving, going to the States, the brain drain. We will attract those good-quality people, and that is one of the factors—

Mr Marchese: You're running out of my time. I just want to ask you another question. I hear where you're going. In the US, 40 million people don't have medical insurance and another 40 million have inadequate health insurance. How competitive do you want us to be?

Mr Moloughney: I want us to be competitive enough that people look at us from a tax point of view and see that we're indifferent.

Mr Marchese: I understand.

Mr Moloughney: Apparently the people in Ontario are willing to work for certain salaries and wages with benefits—health care or whatever—and people elsewhere in the world or the US, in different locations, are willing to work for certain salaries and wages and certain benefits.

Mr Marchese: Do you find it acceptable, the 40 million who don't have health insurance in the US and the 40 million who have inadequate health insurance? Do you find that acceptable?

The Vice-Chair: Thank you very much. We'll move on to the government side. Thank you, Mr Marchese. We'll move on to Mr Hardeman.

Mr Hardeman: Thank you very much, Mr Chairman, and thank you sir, for your presentation. I'm not surprised at the comments from across the way here, from Mr Marchese. His government's philosophy was that you

can spend your way out of a recession and you can increase taxes to provide services the people require, when in the end their revenues kept going down and they became less and less able to provide the type of services that we need in this province, such as quality health care and quality education.

But he was right when he pointed out that we have increased spending in health care, we have increased spending in education, we have increased spending in post-secondary education. He was right on that point, so I want to give him credit for that, and I also want to say that he has been consistent. He has been against tax reduction for the hard-working people of Ontario ever since he has been at Queen's Park. I think the word was they've never seen a tax they didn't like.

I was most interested in the comments from Mr Kwinter, who suggested that tax cuts do work, that they do increase the economy and are good for building that economy to raise revenues, to provide services. But with his suggestion that doing that at a time when the economy was not buoyant was inappropriate, that we should, as we talked about in some other areas of our discussions here, wait for the right time to give tax credits and tax relief to the hard-working people of this province, he seems to disagree that reducing taxes will increase revenues because people will have more money to spend and will spend it, that the economy will then increase and we will as a government have the ability to provide the services they need.

Our connection to the US economy was mentioned, that all the good things that have happened in the province of Ontario in the last five or six years with providing tax relief to hard-working Ontarians is related to the American economy. We in Ontario had the same trading partners as the province of Quebec over that same period. Maybe you can answer why we would do better than they would with the same trading partners. They were also reaping the benefits of that American economy. Second, why is it that our growth would be faster than the American growth, as opposed to that we were just on the coattails? Where I come from, to be on the coattails you have to be somewhat behind; you can't be on the coattails out front. Our economy has been in front of this buoyant economy all the way through. I wonder if you could explain that to me and maybe Mr Kwinter.

Mr Kwinter: All those cars being built here go into the States.

The Chair: Go ahead and answer the question, please.

Mr Moloughney: I look around at the various generations—my parents, the younger generation, my wife and myself—and over the generations, we as a whole have become better educated. I think that's in part because of our infrastructure in place, our education system. That has allowed us to develop good-quality people, and with the tax cuts hopefully we will retain those good-quality people. As a result, businesses are drawn here, because when you expand anywhere in the world you need so many people at the various levels in an organization, right from the very top executive down

to the lower level of people, the labourer types doing the less educated work. You need that blend, that mix. I think we as a province have been able to do that well and have achieved that. That goes back to 30 years ago when we put the college system in place.

The Chair: We've run out of time. On behalf of the committee, thank you very much for your presentation this morning.

1040

ZAREINU EDUCATIONAL CENTRE

The Chair: Our next presentation is from the Zareinu Educational Centre. I would ask the presenter or presenters to come forward and state your name for the record, please. On behalf of the committee, welcome. You have 20 minutes.

Ms Carol Goldman: My name is Carol Goldman. I'm the principal of Zareinu Educational Centre, a private school for children with special needs in York region. I'd like to tell you a little bit about Zareinu and perhaps some of our viewpoints in this issue.

In 1988, a small group of Jewish families united to found a school for their children with disabilities that would provide therapy and specialized education in a nurturing Jewish environment. Zareinu strives to provide a high standard of intervention that will enable each child to function to the best of his or her ability within their school, family and community.

Zareinu is a Jewish day school and treatment centre which provides special education and on-site therapy for a population of students with diverse needs including cerebral palsy, Down syndrome, autism, learning disabilities, attention disorders, developmental delays, communication disorders and other neurological impairment. Zareinu staff includes a team of physio, occupational, speech, music and life skills therapists, resource teachers, special educators and educational assistants. A clinical developmental psychologist consults to Zareinu.

I think it is very significant for the committee to know that rather than depleting resources and finances from the public education system, Zareinu offers support and resources to both York region and Toronto District School Boards.

Zareinu's integration and outreach programs work closely with these school boards to facilitate the partial and total integration of Zareinu children into mainstream public schools or private schools. When a child at Zareinu is ready for this process, the school board visits Zareinu, and Zareinu then joins the IPRC process and continues to offer the services of their therapists to make sure this particular child and their integration into the elementary school are successful.

Even when a child has completed integration into a mainstream school, Zareinu continues for several sessions to be available for consultation with our therapists or special educators, again to make sure that we are providing as much support as we can for this child. This involvement includes our attendance at meetings with

special education departments. Representatives from school boards visit Zareinu, where they are introduced to the children potentially appropriate for integration into their local schools or special education placements. We offer support to each child's setting, particularly in situations where children attend Zareinu and their designated public school placement concurrently. We use communication books to offer opportunities for teachers, between our private staff at Zareinu and the public school teachers to be able to provide the best they can for our children. This support is also available to the public schools when the child is fully integrated, and we continue with consultation.

We are often approached to accept children with complex needs because our strength is evident in being able to provide on-site therapeutic intervention and individualized special ed to meet diverse needs.

All of this, I'd like to point out, is done with no charge to the public school system. In fact, in 11 years, until very recently, Zareinu has received no government funding. A recent announcement of the provision of the special health services initiative to independent schools will be tremendously helpful to Zareinu and the private school sector, and we're very grateful for this initiative. However, the parameters for eligibility for this particular initiative are still narrowly defined, and even among the 60 children at Zareinu, with their complex needs, only three quarters of that population are eligible for some assistance. This assistance will be very much welcome but only addresses a fraction of the total needs of each child.

Once again, if these children were in the school system, it would cost a significant amount of money to provide for their complex needs. So in many ways, Zareinu is supporting the public system, even though it is a private school, not receiving a great deal of funding, yet attempting to meet our commitment to these children by providing the elementary schools with as much support as we can.

I would also like to point out that Zareinu provides educational opportunities for teachers in training. Student teachers in early childhood education from the community colleges and universities and student teachers in special education from York University have all used Zareinu as a model teaching and training centre. The University of Toronto departments of physical therapy, occupational therapy and speech pathology from the faculty of medicine also use Zareinu as a model training centre for their students. In many ways, we are certainly supportive of the public school system, and rather than depleting resources and funds, Zareinu has contributed resources.

I would also like to draw your attention to it costs Zareinu well over \$30,000 per year per child to provide the therapeutic and special education needed. Of those funds, full tuition is set at less than half of that amount, and less than 20% of the parents of Zareinu are able to pay even that tuition. After a thorough subsidy review of their earnings, Zareinu has never turned away a child or

family for not having the financial means. These families are subsidized through hard work by their communities and by fundraising. This, as you can appreciate, puts a huge financial burden on Zareinu. Families at Zareinu often need a great deal of resources and support for themselves and their children.

We fully support the proposal by Ontario Finance Minister Flaherty to provide parents who send their children to independent schools with a phased-in tax credit of up to \$3,500. We envision that it will somewhat ease the financial burden that so many of our parents face. We hope this will allow Zareinu to continue offering subsidies to our parents and in fact that we will not need to turn away families in need of our help because this extra funding is in place. It will help Zareinu by ensuring at least a small portion of tuition. It certainly will in no way cover the cost of the child at Zareinu, but it will make a difference, and it's a start. It will open doors for more families that may need Zareinu's intensive intervention program. If Zareinu were not in existence, the costs of fully reintegrating many of these complex students would obviously far surpass the dollars being offered in rebate.

To the families of Zareinu, being able to provide for their children not just the therapeutic intervention they need or the special education, but for all of this to be in an atmosphere that reflects their cultural and Jewish heritage, goes a long way in helping them through the very stressful days that having a child with complex special needs presents, knowing that even though their child may not read or write, may not be able to speak without the assistance of augmentative communication, computers or voice output boxes, perhaps knowing that their child may not walk or run with other children, but now they have the comfort of knowing that their child can be part of the community in another way, and that is to immerse them in the cultural teachings and values of their religious heritage.

I believe that Canada is a cultural mosaic and the freedom of choice of religion is not necessarily exclusive of freedom of choice in education. For many families, we must realize that these go hand in hand.

I believe as a Canadian citizen that one of the beautiful things about Ontario and Canada is our sensitivity and cultural awareness. So much of this is reflected in the freedom of choice and respect given to the mosaic of different cultures and religions that make up our society. I strongly believe that freedom of religious choice and freedom of education are not parallel but are, in many cultures, an integrated value, and I believe that giving parents that freedom of choice is extremely important. It speaks to who we are as a Canadian society. The very essence of tolerance and respect that we are expecting from this generation of children is spoken to in the fact that we are not requesting that they must become a melting pot but allow families and their children to take pride in their heritage and their beliefs.

Our philosophy is based on the belief that each special child is a valuable member of our community and has the

right to an adapted education, opportunities for improving life skills, communication techniques and respect for their strengths as well as a focus on their needs. Their families must be an integral part of our efforts, their input treated with respect and their participation in planning individual programs for their child respected.

We believe that every child has potential and deserves our united efforts in providing therapies and strategies that will improve their quality of life. We work towards increasing acceptance of children with special needs in the community through workshops on tolerance and respect for differences. I know that on Monday, the Ontario parents for equal education spoke on behalf of the many parents in Ontario who share these views.

In our opinion, the government's proposal is an important step in providing equity and further affirms a commitment to our society's recognition and respect for all citizens of differing cultures and differing abilities. For those families who have chosen a life of commitment to their religious and cultural heritage, we are finally supporting the freedom of choice in education that is an integral part of their lives.

The Chair: Thank you very much. We have three minutes per caucus.

Mr Marchese: Ms Goldman, just as I said to the Canadian Jewish Congress that I respect their work, I appreciate the work you do at your centre. Obviously, it's difficult work. I read with some interest on page 4 how you talk about, "We are not requesting that they must become a melting pot but allow families and their children to take pride in their heritage and their beliefs." I don't believe in the melting pot either, but I advocate for multiculturalism within a public system rather than a separate one, and I believe we should be reflecting, we are reflecting and can do a better job of reflecting our differences in the public system.

1050

Ms Goldman: I believe in both. I think there should be a huge component of multiculturalism within our school, but I think we still must respect the fact that for some cultures and some religions these two things do go hand in hand, that educational choice and religious choice go hand in hand. I would never recommend that someone of a Mennonite family must blend into a public school, because maybe they do need something within their culture. I think that, as Canadian citizens, we of all people should understand that.

Mr Marchese: This is where we differ philosophically. I put it to the Canadian Jewish Congress as well. I'm not sure we can reconcile our differences. While I appreciate them, it's a tough one for New Democrats, because we believe that we need to accommodate our differences in a public system.

Ms Goldman: Absolutely.

Mr Marchese: For most people, obviously, that will be the case, and for some it will not be enough. You're saying, "Therefore, help us to make that choice," and we're saying, "Sorry, if we can't accommodate those

differences within a public system, then people have to make different choices."

Ms Goldman: Can I ask you if you read this morning's paper, about a family in Ottawa that's suing because their child needs to go into the public school system and can't?

Mr Marchese: This is where I denounce governments—any government, for that matter, but this one in particular—where they cannot and do not address those needs and will not put the resources. They make a stronger commitment to cut individual and corporate taxes, but have no money to address such needs. So is the response to say, "We need to create an independent private school," or is the response to say to this government in particular, "You need to put the money in so that no one is left out of those services"? My response is, "Address the problem," and they're not doing it.

Ms Goldman: My belief is there is definitely room and need for both. There is definitely room and need for us to be more accommodating within our public schools and there is need for us to recognize that that doesn't work for every child. Given the children that I deal with, it's a very nice thought to believe they could all be accommodated in the public schools, but it just doesn't work. There are children whose needs are different; there are children in private schools who are not religious who learn differently. I hope some day we'd be able to accommodate all of their needs always, but it just isn't going to happen, and right now it's certainly not happening, unless we do something about it. We're choosing one religion and saying, "That's fine; we're going to accommodate that particular religion but we're going to ignore the needs of so many others." This is Canada; we're a cultural mosaic and we need to address that.

The Chair: Thank you very much.

Mrs Molinari: Thank you very much for coming forward with your presentation. For the record, I can attest to the wonderful work that Zareinu does with our most vulnerable children. Certainly I've visited the school and seen at first hand and congratulate you on the wonderful work that you do.

You've made some very interesting points in your presentation and they're very consistent with the presenters from the Canadian Jewish Congress, with whom we talked about choice. I'm going to ask you a similar question to the one I asked the previous presenter, but before I do that I want to note your comments about, if all of these children were to be reintegrated into the public system at once—what that would do to the system at this point in time, being able to provide for all the children that you serve most admirably within your system. Within the private system, to integrate all of those students, if they all came into the public system, if all those schools closed down, there would be a real issue for the government, for us to be able to serve all of those students.

What we're doing with the tax credit is addressing some of the integral and important service that you provide for these students. You also assist the reintegration

into the public system at your own cost, with the pressure you have with limited resources.

The issue around choice—some of those who are opposing the tax credit are saying, “Parents do have a choice. They go into another system and they pay for it.” That’s the choice. Can you highlight why that is not a choice for the ones you serve and the fact that the public system would not be an adequate choice?

Ms Goldman: There are certainly situations where, with the complex needs of our children, the public schools are turning to us because they know we can provide the on-site therapy and the one-on-one workers, which is just impossible to do within that system. We have kids who are medically fragile. We have a child who can’t attend the public school system unless his worker is with him. The fact is, for those parents it’s not really a choice. The choice is that they need Zareinu or similar private schools that support children with special needs because their children don’t have a choice. I think that’s something we have to understand. Or when they’re making that choice, they have to understand that we can provide an intensive intervention program that could mean the difference in that child walking or speaking. In the public school it’s obvious that they can’t do that right now.

Interjection.

Ms Goldman: Fixing it is not—I mean, I don’t think there’s a place in Ontario that can fix the situation of the complex-needs child. I think everyone is trying as hard as they can, but the reality is that there are some children who need a private school. There’s also the fact that children learn differently. I hope the public schools continue evolving and working on accommodating every child, but there’s a reality here: they can’t do it. Some children need a small, contained classroom and there are only so many of those possible. You’re talking about limitless funds. They’re not there.

Parents have to be able to choose what is best for their child. There’s no reason we shouldn’t respect that parent’s choice. Our families, when they come to us, have researched centres, they’ve been through the public school system, and they feel very strongly that these children need this kind of setting. I don’t see why we can’t respect that choice in the same way we respect the fact that they can attend any church or synagogue or temple or religious facility they want to.

Mr Kwinter: Thank you, Ms Goldman. I have a Zareinu facility in my riding on Bathurst St, and I’ve visited it. The concern I have is that this particular initiative is buried in a budget bill, when in fact this should be a bill unto itself. I have some concerns for organizations like Zareinu. When I visited your facility and I saw these young children who are just—I mean, it brought tears to my eyes to see the condition they had to endure. It seems to me there’s a responsibility for the Ministry of Community and Social Services, the Ministry of Health and the Ministry of Education. Each has a role to play, because this isn’t a one-size-fits-all. It isn’t as if you’re saying, “We have a school and it’s faith-based,”

or whatever it is, or “It’s a private school.” It is a very, very complex learning situation because of the condition of the people who are there.

My concern is because we haven’t seen the meat of what they are doing. This is just a line item in a \$61-billion or \$62-billion budget. We haven’t seen whether or not you in fact will be eligible. We don’t know that. I hope there is some financial support for you, but we don’t know what the criteria are going to be. As a result, you may find that, for reasons known only to the government, you’re not eligible.

Ms Goldman: Well, I have to tell you we are eligible for the special health support service initiative, which we are counting on to be very helpful to us. Eligibility has been determined for us. We are definitely a private school, registered as a private school, so our parents will be eligible for that tax rebate. For us, that means that some parents who have been paying no tuition because they’re on welfare assistance or because their funds don’t allow it or they’re just completely strained keeping a special-needs child at home will then be able to provide some tuition to Zareinu, which in turn means that I don’t have to turn away a child who’s coming to my door because I know I can’t hire a program assistant or I know I can’t knock up the occupational therapy hours for that child. So yes, it’s a start and it’s going to help. I’m very confident of that, and I don’t persuade easily.

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Mr Kwinter: As I say, I hope you’re right, I really do, but the other concern I have is that we don’t know. We don’t know what the conditions are, because what’s going to happen is that it’s going to be done in regulation. It’s not going to appear before this committee and it’s not going to the Minister of Education, who hasn’t even been at this committee. We’re talking about education—the corollary is the financing of that education—but the Minister of Education hasn’t even presented herself to this committee to give her particular perspective on what it is this government is trying to accomplish. We know there’s no question they’re trying to give some tax relief to people who are really being discriminated against, but my concern, and I voice it to you again—I hope you do qualify, but I’d feel a lot more confident if I had an idea of what limitations, if any, are going to be put on the eligibility for this funding, what conditions, what requirements, what standards. Those are things I don’t know, and as a result—as I say, I wish you well. You do fabulous work, and I wish you all the support you can get.

Ms Goldman: Thank you very much.

The Chair: Thank you very much for your presentation this morning.

ELEMENTARY TEACHERS’ FEDERATION OF ONTARIO

The Chair: Our next presentation is from the Elementary Teachers’ Federation of Ontario. I would ask the presenters to come forward and state your name for

the record. On behalf of the committee, welcome, and you have 20 minutes.

Ms Phyllis Benedict: Good morning. My name is Phyllis Benedict. I'm president of the Elementary Teachers' Federation, and with me this morning I have my research officer, Pat McAdie, general secretary Gene Lewis, and first vice-president Emily Noble.

The Elementary Teachers' Federation represents 65,000 teachers and educational workers in the province of Ontario. We stand on a very proud record of the level of service we deliver to the public elementary children in this province.

We are opposed to using public funds, including tax credits, for private schools. This was one of the very first policies that the Elementary Teachers' Federation passed at our first annual meeting in 1998. This government, through the Premier and the Minister of Education, has always stated that it would not introduce charter schools or vouchers. Indeed the Minister of Education said to us on more than one occasion, "Stop talking about it or it might happen." They claimed that they were interested in ensuring a strong public education system. With no discussion or warning, the Minister of Finance introduced a voucher system with the 2001-02 provincial budget.

A number of polls show us that there is not public support for this initiative. One poll, conducted by the Ontario Institute for Studies in Education, was released just two days prior to the budget, reporting that only 26% of Ontarians are in favour of extending public funding to other religious or private schools. This is confirmed by two other polls that have been conducted since the announcement.

This represents a major shift in policy direction, one that we think warrants much more discussion and public input. At bare minimum, we believe that there should be full public hearings on this issue alone.

This measure will apply to over 100,000 students currently enrolled in the private schools in Ontario. We believe this number will increase over the next few years because of this policy. Only 12,000 students in the whole of the United States are enrolled in private schools supported by public vouchers, and because of much opposition, President Bush has had to back away from his initial proposal for an expanded voucher system.

We do not deny that parents have the right to send their children to private schools, but that is a private choice and should not be funded with public money.

Private schools have private rules. They're not required to accept all students who apply. They're not required to follow the provincial curriculum. They're not required to employ certified teachers. They're not accountable to the public, even though now they will be funded by public money. Private schools are even exempt from the full application of the Human Rights Code.

We also know that not all parents are able to exercise choice. Parents who are better educated and relatively well-off are much more likely to make active choices about the education of their children. We believe we

should be ensuring that all children receive a high-quality education system regardless of personal circumstances.

Our public investment should be directed to improving the public education system. Taking inflation and enrolment into account, this government has cut over \$2 billion from elementary and secondary education since 1995. That's over \$1,000 per student. This has had a dramatic impact on our schools. In the public elementary schools, we have experienced the following:

There has been a loss of special-education programs. In the last year, 22% of the schools report a loss of special education teachers and 35% of the schools report a reduction in special-education programs.

There has been a loss of library programs. In the last year alone, 16% of schools report a loss of teacher-librarian positions and 29% of schools report a loss of library programs.

There has been a loss of music, design and technology, English-as-a-second-language and family studies programs.

Students have not had the opportunities to go on field trips to extend their learning outside of the classroom.

There are insufficient textbooks and other learning materials for our students and insufficient resource materials for our teachers.

We've seen the closing of schools that fractures local communities.

We've seen an increased use of fundraising to pay for basic supplies in our public elementary schools.

Our class sizes remain too large for effective learning.

The \$300 million that has been estimated as the cost of the tax credit for private school tuition should be used to improve our public schools. The \$300 million could reduce class sizes to 21 in the primary grades, and that would make it the same average class size as in secondary schools. Surely those children at the beginning of their school careers deserve the best start we can provide for them, and that's not happening now. That \$300 million could also be used to put books back in our libraries and programs back for our students. It could be used to help get students off the waiting list for special-education assessment and to provide programs for those high-need students. It could be used for ensuring sufficient classroom supplies and teacher resources.

Our public schools provide the foundation for a democratic society for all citizens. Our public schools give students from our multicultural society a place to feel welcome, to feel they are an important part of their community. Our public schools teach and practise equity.

We want and we deserve a strong, high-quality public education system accessible to all—to our children, our grandchildren, our neighbours' children.

We call on this committee to recommend that the education tax credit provision of Bill 45 be removed.

The Chair: Thank you. We have approximately three minutes per caucus, and I'll start with the government side.

Mr Galt: Thank you for your presentation. I just want to share with you something that was tabled here this

morning for the committee, and it relates to your presentation, on funding. As I look at what was tabled, if I understand it correctly, funding has gone from \$12.8 billion in 1997 to \$13.8 billion this year, moving from \$6,726 per child to \$6,960 per child. I have a little difficulty with where you may be coming from or not coming from with your figures. I have heard Mr Phillips make the statement that it has dropped some \$75 million this year. I look at the figures that relate to the one-time funding that has come through for textbooks and restructuring funds etc, and in fact just the basic funding formula has increased some \$360 million this year, as I understand it.

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One of the things that I find has been misleading—and I've heard you comment here about lack of textbooks. I looked at the funding in our own board, the Kawartha Pine Ridge board. In fact the spending on textbooks, based on the envelope that was set aside, was slightly over 50%. I respect their decision as to where the money went. I understand a lot of it went into computers, and I have to respect that. But when they shift the money around and then come back and say, "We don't have money for textbooks," I have some difficulty with that and those kinds of explanations.

Can you help me as to why we keep getting this kind of information when in fact what I've read is what has been tabled to this committee as factual? And non-partisan; the clerks have provided this, not the government.

Ms Benedict: I think you need to take a couple of things into consideration: that when we use this, we cite from what was in the system in 1995 and what we see in 2001. If you look at the responses from school boards as to the most recent increase that they see in the funds that are going back to them from the government, it doesn't even cover the cost of inflation; it doesn't cover the rising cost of heating the facilities or transporting the children to the school. It doesn't consider, in some parts of our province, the increase in student enrolment.

You mentioned Kawartha Pine Ridge's decision to put money into computers or into textbooks. I put it to you, sir: they shouldn't have to make that decision. There should be the funds there to ensure that our public schools have all of the resources—physical resources and personnel resources—to ensure that our kids have the best public system that we can offer to them.

Mr Phillips: I'll make a comment on the numbers and then ask you a question on the philosophy of it. The numbers that Mr Galt just pointed out are very interesting. Over a four-year period, the per pupil funding has gone up less than 1% a year, at a time when inflation is going up well in excess of that. Actually, the numbers that were tabled yesterday show spending at \$75 million less this year, 2001, than last year. I think he kind of makes your case, or our case, and that is that spending has gone up less than 1% a year when we all know that inflation is up a lot more than that.

The government, less than two years ago, presented this very extensive brief to the United Nations, arguing against extending funding to private schools. It's well worth reading; I'm sure you have. But I just want to read a couple of quotes here, among others.

They say extending it would lead to increased public school closings and the reduction of the range of programs and services a public system can afford to offer. They say it "would undermine the ability of public schools to build social cohesion, tolerance and understanding. When diverse populations separate themselves from the general mix, the public system is the poorer because the opportunities for understanding and accommodating differences are diminished."

Again, I stress, this is the government, Premier Harris's, argument just two years ago. Is the teachers' group aware of any research that has been done by the government recently that would cause them to do a 180-degree turn on the position that they put in writing before the courts and the United Nations two years ago?

Ms Benedict: I would say that this decision, like many other decisions that have affected education since 1995, was made with very little research. These decisions are made more as a response to polling that the government has done and someone's personal desire to take education in a particular bent. It certainly is not done with research or consultation of the key stakeholders in education in our province. I'm not aware of any research, and I would hazard to guess there hasn't been any solid research done on this.

Mr Phillips: There are several other quotes in here that are, I think, worth the public being aware of.

Again they're arguing, "One of the strengths of a public system of education in a province and a country which are committed to a policy of multiculturalism is that it provides a venue where people of all colours, races, national and ethnic origins, and religions interact and try to come to terms with one another's differences. Such a process is not without its problems and frictions but the fact that the public school must deal with the varied needs and interests of the total population makes it a valuable institution for the creation of better understanding among the various groups. In this way, the public schools build social cohesion, tolerance and understanding."

That was one of their strong arguments. Would that view be held by the teachers' federation, that that is one of the key reasons why we would be making a mistake to head in the direction of fragmentation?

Ms Benedict: Absolutely. Even if you go back 10 years ago with another government in power, which did realize the importance of public education in ensuring that we moved our citizenship forward in areas of understanding other backgrounds of multiculturalism, many boards put into practice initiatives to ensure that schools did look at diversity, did accept and change mindsets that were far more negative and, even in parts of the province where you don't see a high visible minority in a student

population, to ensure they realize that Canada is multicultural in nature and to appreciate that diversity.

The importance of what happens in the public system—and I do agree with the comment that it's not perfect, but we do design programs to address those issues and to ensure that if a situation comes forward that needs to be dealt with that is a negative situation, we do so in a way that is informative and educates the whole student population that we have.

Mr Peter Kormos (Niagara Centre): Mr Chair, I hope no more of the Conservative members leave or else we'll lose quorum.

Thank you very much. It's interesting, because I've got the same data Mr Phillips referred to, that there's a \$75.8-million reduction in investment by this government in education this year from the previous year. Down where I come from, down in Niagara—you should have been there on Friday. The Conservative members were calling one presenter a liar, a superintendent for the school board down there. Remember that? They were calling him a liar because he said Niagara received less money this year than it did last year, and sure enough Mr Johnston, using the government's own numbers, shows a reduction of \$2.25 million this year as compared to last year.

I met with a group of custodians from elementary schools up in Ottawa a couple of weekends ago. They were telling me that there are schools across this province where two weeks ago already, before the end of the school year, their cupboards where they keep their cleaning stuff, the detergents and the solutions, all you can see are the rings on the plywood where the cans used to sit. Is it true that school custodians literally don't have cleaning supplies and didn't as of two weeks ago?

Ms Benedict: Absolutely. That's just indicative of the physical healthiness of our buildings. Our custodians, educational support workers and the secretaries in the school do not have the wherewithal, physical means, to do what they need to do to run our schools.

Mr Kormos: I've been in classrooms, down in Niagara especially with elementary schoolteachers, where teachers are telling me they're buying things like construction paper and crayons, these sorts of things that are part of the curriculum. That's what kids do at the lower levels; it's a part of the curriculum. Is that true, that teachers are buying classroom supplies out of their own pockets?

Ms Benedict: Teachers have always dipped into their own pockets to augment the classroom. That's not uncommon. We did a study three years ago that showed on average it was anywhere from a minimum of \$200 to over \$2,000. But in the last five years we find that teachers are giving up more and more of their personal money just for the basics to run a classroom—not the frills, not the extra incentives, just the basics.

Mr Kormos: Down at Ross Street school in Welland, I think they're holding four fundraisers a year, and they're just happy to raise—in the old days, they used to raise that money for things like class trips for the kids to

come to, let's say, Queen's Park. They tell me that now they're doing these fun fairs to raise money. They're happy raising 200, 300, 400 and 500 bucks to buy things like library books. Are they telling the truth?

Ms Benedict: Absolutely. You'll find parents, communities and teachers continuing to make the system work. If they stop doing those things, the real truth of what the government has done to public education would be out in front for everyone to see.

The Chair: We've run out of time. On behalf of the committee, thank you very much for your presentation this morning.

I've just been informed that the next presenter, the Islamic Society of Niagara, has cancelled. Consequently, we'll take a recess until 11:40.

The committee recessed from 1120 to 1140.

CREEMORE SPRINGS BREWERIES LTD

The Chair: If I can get your attention, we'll bring the meeting back to order.

Our next presentation is from Creemore Springs Breweries Ltd. I would ask the representatives to come forward, please, and state your name for the record. On behalf of the committee, welcome. You have 20 minutes for your presentation.

Mr Howard Thompson: My name is Howard Thompson. May I have this chair?

The Chair: Yes. You can sit down, sir.

Mr Thompson: As I mentioned, my name is Howard Thompson and I'm president and chief executive officer of Creemore Springs Brewery. Creemore Springs is a tiny little brewery nestled up in the great little village of Creemore, about an hour and a half north of here. We've been brewing beer in our Main Street location for over 14 years. We employ 42 people, not bad for a little spot in Creemore.

Our sales this year will be about \$10 million, and I'll give you this as just a bit of background. We used to describe ourselves as the second-biggest brewery in Simcoe county, because Molson's had a facility just outside of Barrie. Unfortunately they closed that facility in the last year, so now we're officially the biggest brewery in Simcoe county. On a tour of Molson's one day we calculated that our annual production in our best year, which would be this year, about 30,000 hectolitres, would be the equivalent of about one 14-hour shift at the plant that they closed in Barrie. So we're very small.

I give you that background simply to illustrate that for the 12 years that I've been in this business I've become very familiar with the issues at hand for small businesses—particularly small businesses that exist in very large industries, very large markets, dominated by large players—and wanted to address a couple of what I thought were quite positive issues in the budget regarding small business.

The first is small business taxation. It has come down over the past few years prior to this year, both federally and provincially, which from a small business owner's

perspective is quite positive. There's a common misconception that businesses don't pay taxes, and in fact, prior to last year we didn't pay any corporate income tax for the simple reason that any money Creemore Springs made, we dividended out. We took it out of shareholders prior to paying any corporate income tax, simply because that was a much more tax-optimizing strategy.

What then happens is that if there's money for the business in terms of cash flow, that money comes back in in terms of shareholder loans. It's an incredibly inefficient use of capital for two reasons. The first is, it really obscures the balance sheet because there isn't any retained income in the company, so it hurts the owner's equity section of the balance sheet. Second, not all the money will come back in, because it's been taxed, so you're left with less capitalization, an inefficient use of the capital and ultimately less productivity and less opportunity to access debt markets, simply because of the shape of the balance sheet.

That has changed 100% for our business in the last two years because the income tax rates have made more sense from a corporate point of view to retain our income, pay our taxes and then use the cash flow either for business purposes or to distribute to shareholders, as required. I think that's a very positive aspect that has continued in the model this year and in previous models.

Secondly, this government and two previous governments, from all parties, have quite openly supported different tax treatment for small brewers. We've been very fortunate to have had support from all parties and all governments. The biggest tax that was paid by provincial breweries was called the Ontario markup levy. It used to be called ad valorem. Although there was policy in place to support different tax treatment for small breweries, the methodology was so obscure and so unique that in fact it worked against itself. I'll show you that by illustration. I did bring beer, although the bottles are empty. If you pretend for a moment that those two bottles are of equal size, ours being a 500 millilitre bottle and let's pretend it's the same volume for Molson Canadian, there is a tax called the Ontario markup levy which for that bottle of beer would have cost Molson's 50 cents. The calculation—

The Chair: Sorry, can I interrupt? Could you sit down? We can't pick up your conversation without you being close to the microphone. Thank you.

Mr Thompson: Oh, sure. The equivalent calculation for Creemore Springs would have equated 72 cents for this one tax.

Now, there was policy in place to have a different tax treatment. We were allowed to take 66% of that tax because we were a small brewery, which then brought ours to exactly the same as Molson's and Labatt's: 50 cents for that bottle of beer. That only lasted for the first 25,000 hectolitres of beer produced, at which point our tax jumped to 65 cents for the same volume. God forbid we ever were so bold as to simply triple in size, because our tax would have gone back up to that rate on every volume of beer we produced.

The effect on our brewery over the last two years has been that at our current volume, we would pay almost \$100,000 more in tax on the first 30,000 hectolitres produced by either ourselves or one of the larger breweries. If we were to double in size, we'd pay almost \$500,000 more in the same tax.

We've worked on this for a number of years with a number of different governments and we were quite happy to have reported in this latest budget that in fact the ad valorem component of this tax, which actually distributed taxes differently among different breweries, was eliminated. So what we have now is a tax base for all breweries at 50 cents a litre or \$51 per hectolitre, with some differential tax treatment for small breweries which would give us the advantage that has been supported by policy in all governments for the past 12 or 15 years. I think that's worthy of note and a very positive result.

Within the industry I think there are a couple of other issues that should be examined. Last year there was an elimination of something called the LCBO store fee, which was an archaic fee the LCBO charged all brewers, regardless of size, \$105 per beer store, if you can follow that logic. It was an audit tax that was introduced in the 1950s that became irrelevant when they stopped auditing the Brewers Retail activities. That was eliminated last year, which was significant, because it would cost Creemore Springs \$40,000 a year and it would cost Molson \$40,000 a year to be in the same 400 beer stores.

I think the next issue that would be of interest with the LCBO is, being an agency of the government, they report annually increased record profits. However, they charge the brewing industry double the service fees, as does the Brewers Retail—somewhere around \$65 a hectolitre, versus \$34 per hectolitre if we sell our beer through both channels of distribution. That, to a small business owner in a market dominated by large players and dominated by two retail streams, one of which is owned by our competitors and one of which is owned by the very people who regulate us, makes for a difficult retail situation when you've got almost double the margin in one channel versus the other.

Lastly, not related to beer—and like every good Ontarian I like to talk about tax breaks and then ask you to spend more money—this was a report initiated by Premier Harris, I believe, and this should be mandatory reading for every MPP and every staffer in the government federally, provincially, nationally. It's called the Early Years Study. I know that the committee is interested in the education tax credit issues that surround that. For me, I believe three things. I believe that if we invest in the years zero to 3 and provide our educators with students ready to learn who have had ubiquitous access to a good place to play, a good place to grow, nutrition and some balanced living, behaviour, marks and success will start to look after themselves within the education system.

I have two kids. My son, who's just going into grade 2, has been in the public schools for his short career. I'm a product of the public schools. My daughter will go to

Montessori this year. She will then enter public school probably in grade 2 or 3. So I do support tax incentives that provide parents with an opportunity to help manage their kids' education. But I support that within the context that every kid needs a break. I'm quite fortunate in my circumstances that my kids will enter the system with a lot of support, and perhaps the same can't be said about all kids. So in this document I think there's some good advice.

1150

On that theme, there is still really inequitable tax treatment for single-income families versus double-income families. Probably one of the single greatest contributors to early childhood development is that their mom is at home or their father is at home or there are opportunities for the parents to be involved with their children in the early years as well. I will continue to ask my government representatives, both federally and provincially, to look at tax treatment for single-income families differently than they do for dual-income families in terms of the way the taxes are calculated.

That's it for me.

The Chair: Thank you very much. We have three minutes per caucus, and I'll start with the official opposition.

Mr Phillips: Congratulations on your business, by the way. That's terrific.

I'm going to focus a little bit on the tax credit issue. The committee got from the government information on spending on education in Ontario. It actually shows public education going down \$75 million this year over last year. The per pupil spending has been going up, but at less than half the rate of inflation, so real spending per pupil over the last four years has gone down a fair bit. On the other hand, we're dealing with an issue today that will mean, in terms of forgone revenue for Ontario's government, at least \$300 million. That's the minimum there will be in forgone revenue.

I don't know whether you have a point of view or not on whether we would be better to be investing in public education—I agree with you, by the way. Dalton McGuinty, our leader, has put forward a plan of smaller class sizes in junior kindergarten, kindergarten, grades 1 and 2. I realize you're advocating also, importantly, on behalf of younger students. In your judgment, would it be better to be investing that \$300 million in at least making sure that our spending on public education keeps pace with inflation, or are we better to be spending that money on expanding support for private schools?

Mr Thompson: My personal opinion? I think both. I think investment in schools is never unwarranted. I don't understand the budgeting process well enough to know whether it's an either/or. I don't know if the two are mutually exclusive. I do know that as a parent, I spend a tremendous amount of time in my kids' schools. I invest my own money and I'm happy to help with fundraisers, so if that's being matched and increased by the government, that's great. I also think it's a good idea to have parents have some opportunity to manage their

kids' education as well, if they see that's an opportunity for them. We saw something like Montessori as an opportunity for our child this year.

Mr Marchese: Mr Thompson, you are the only deputant so far who has come to speak on issues of taxes or income tax cuts and also speak on other issues connected to education. That's interesting. They usually come here talking about how they want fewer taxes, of course—the government is likely to speak to that—but they don't combine that with their other interests in life. You do, so I appreciate that.

New Democrats support the idea of early childhood education. While we don't start at zero, some of us are talking about the idea of providing funding in the earlier years, from age two to four or five, because we believe that if you want to do prevention and provide young people with the preparation they need to do well in school, that's the time to do it. But I don't support the idea that we then say, "That's good, but we give tax dollars in the form of a tax credit to people who want to send their kids to private schools." I believe in early childhood education strongly, because I think you give kids who come from backgrounds where they're not as lucky to have had an education, to have had money, a better opportunity for education. But I don't think public dollars should be spent for supporting people to have a choice to send them to private schools.

Are you saying yes to early childhood education, but government should support parents wherever they send their children? Or that it should be a public kind of early childhood education that's provided, like JK and SK, but it would be provided in earlier years and be public so that anybody who wants to take advantage of that could?

Mr Thompson: I don't know. I'm not familiar enough with all of the levels of education to answer your question. I think parents probably know best. I think communities probably provide the nest that will support a lot of the good programs in early childhood development, whether it's in a public school system or not. I know there are a number of initiatives in Collingwood for parent drop-ins, parent resource centres etc that accomplish that. Kids are playing. Kids are getting food. Their grandparents are coming in and reading to them. That should generate support from the government. The debate on whether money goes into private schools or not will be fought for a long time. I guess the other side of the coin is that there are kids who have trouble who need to go to special schools too. My cousin is a good example. That costs their parents money and probably was cheaper than the correctional system, and a tax break to help them pull that off was probably a good idea.

Mr Marchese: I agree. But in Toronto we have alternative schools within a public system that deal with children who couldn't cope with large environments, for example, in the high school system. They couldn't cope with a Central Tech that's got 2,400 students, that kind of thing. So you have alternative schools.

But shouldn't it be the job of public education and shouldn't it be the job of government to say some kids

don't function well and they need a different kind of environment? Why couldn't we provide for that within the public system, as opposed to saying, "The school doesn't take care of it. They all have this or that. Therefore, I need to go to a private school and pay whatever money it takes to do that"? Shouldn't it be the job of government to deal with those kinds of questions or problems?

Mr Thompson: I don't think tax breaks make it the goal of government—I think that gives the parents some resources. I don't know. I know that public education looks after the vast majority of students out there and does it well. Like I said, I'm the product of Alberta public education. I also don't mind picking at the edges. I think there's enough in the public education system to warrant some examination and some alternatives.

Mr Spina: I'm going to make my question short. Howard, I hope you'll give me a short answer as well so my colleague can talk to you about the early childhood stuff you brought forward.

I agree with Mr Marchese. Thank you, because it's a good two-sided approach to the overall budget.

As the parliamentary assistant to the minister in charge, I had a presentation recently from Brewers Retail and they brought out some of these inequitable tax calculations that are so convoluted. What I want to ask you, pretty simply, is, if you had a recommendation as to how this could be simplified and be equitable, what would it be?

Mr Thompson: I think the resolution with the markup levy is it. You pick a flat tax, everybody pays it, and if you have government policy that supports small industry, then it works within that tax structure. It does now and it's quite simple now; we haven't had the remittance forms back from the LCBO yet. Within the retail channel, I don't know. If the LCBO is reporting record profits, there is no brewery that is making the difference between \$65 and \$34 per hectolitre. There is not a brewery in the province that would make \$35 a hectolitre, so it's hard for me to imagine that's what it costs the LCBO to provide that level of service. They do a great job; they sell lots of beer for us, but that probably would be the next thing to take a look at, the fee structure within the LCBO.

The Chair: Ms Molinari, you have one minute. Better make it quick.

Mrs Molinari: Thank you very much for your presentation and the comprehensive way in which you've highlighted some of the things that affect your business. Tax cuts certainly help in the way of promoting businesses and assisting in whatever way for you to flourish more.

I just want to comment on your points that spending more money or every bit of money on every kid zero to three is absolutely correct, and certainly as the government we believe that has to be investment. We have the Early Years challenge fund, which goes specifically to address some of the younger groups.

As parliamentary assistant to the Minister of Community and Social Services and minister responsible for children, I recently made a presentation to the Easter Seal Society, which has come up with a wonderful plan on how to address some of the birth disabilities that come up. They've discovered that the lack of folic acid in a mother's diet causes certain birth defects. So they're doing a whole campaign to make mothers aware of it and the importance of having certain foods in their diet so that when they do give birth some of the disabilities and things that we now are challenged with can be prevented. I thank you for recognizing that that's also something that's very crucial and want you to know that as a government we agree with that and we are making steps toward that.

The Chair: With that we've run out of time. On behalf of the committee, thank you very much for your presentation this morning.

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TORONTO DISTRICT SCHOOL BOARD SUPERVISED ALTERNATIVE LEARNING CENTRE

The Chair: Our next presentation is from the Toronto District School Board Supervised Alternative Learning Centre. I would ask the representatives to come forward, please, and state your names for the record. On behalf of the committee, welcome, and you have 20 minutes for your presentation.

Ms Katherine Mitchell: My name is Katherine Mitchell.

Mr Brad Topping: I'm Brad Topping.

Ms Mitchell: Fortunately, the gentleman in front of us kind of did our introduction for us. I thought it was two hours; I was mistaken. It's 20 minutes, so I'll have to speed things up. I could talk for two hours; I won't.

I want to say, by way of introduction, that we're not here as a special-interest lobby group. Although we're teachers, we're here as parents who both have had children through the alternative school system in the old Toronto board and who have worked in alternative programming for more years than I'm going to put on record. We worked—and I have worked—entirely in Ontario with at-risk students, at risk in a variety of ways.

I think it's a mistake to take money from the public education system. I think we need to improve it. I think we need to at least get it back to where it used to be. In my experience, we've had a steady decline in funding and in program choice in the boards in which I've worked. Particularly, four years ago I worked in a program for teen mothers. We talked about folic acid. We worked with them pre- and post-natal in a treatment program. It was attached to a treatment centre—section 19 it was at that time—and the funding for this program was cut with a cavalier comment that pregnant girls can go to regular high school. You have a problem keeping your numbers up with pregnant girls. They tend to drop out from time to time to have their babies. They also tend

to come back and are then in a position to have a series of needs addressed: early childhood, zero to three, zero to six, their own personal needs, their future education and so on.

At the present time, I work in the supervised alternative learning program. This is also a program for at-risk kids of a slightly, but not always, different nature. I'm going to let Brad talk about that.

Mr Topping: We plan to go back and forth as we present, and I think our comments will probably be briefer than some of the previous presenters, but we just wanted to have you hear our voice at least.

The last 20 out of my 30 years of a teacher I've been working at a location called the supervised alternative learning centre, which comes under the umbrella of the supervised alternative learning for excused pupils program. This is a program mandated by the province of Ontario through the Education Act, regulation 308 to be precise, and all boards are required to provide a supervised alternative learning for excused pupils program. I have attached the wheat-coloured sheets, which actually give you the regulations so that you could perhaps refer to them at your leisure.

Needless to say, as I said, every board in the province is required to provide this service. It's also noteworthy I think for this committee that this program is not funded directly by the province or the Ministry of Education. In fact, I think there's an expectation, if I were to interpret it, that the boards are required to provide this program without any additional funding. If you will, it's sloughed off the rest of the board's budget. It's not a special-ed program, even though about a quarter of our students are special ed. We do not receive any additional funding directed to our program, nor does any other board.

My point is there's been no audit, if you look more generally, to determine whether the public education system and programs like mine are adequately funded. I wonder who other than certain politicians might claim the public system is adequately funded.

My program is one that may not survive the reduction in funding, despite its mandate by the Education Act. I doubt this committee and these hearings will have any effect on the continued service I've been proud to associate myself with over the past number of years. I am but one voice that expresses a plea for those students and parents who generally don't show up at meetings like this, I would expect. I just want for their voices to be heard, perhaps through Katherine and I.

Ms Mitchell: I feel, and I said in the written statement, it's very hard when I had to condense this into a written statement to say what I wanted to say in two hours. But I don't want to see students punished because they don't fit the system. I want to see continued that history of alternative programming, particularly in the boards where I've worked but available in other areas of the province, that allows parents a choice in the public system of a better fit for their child.

I want to put one face on the pupils we're talking about. A girl started having attendance difficulties in

grade 7. Until then, she'd been a good student. The attendance difficulties were addressed by an attendance counsellor, by children's aid, and continued into her first year of high school, which was this year, to the point where she missed the first three weeks of school. She wasn't able to make the transition to high school. It wasn't skills; it was an emotional difficulty within the family. She came into our program early in the year—and of course I want to talk about a success story. She, with the support of two teachers and a child and youth worker, was able to complete seven credits and is returning to her home school in September to continue her education in a much healthier frame of mind emotionally as well. It was a chance for her to step out, work at her own pace and address some of those internal issues that didn't allow her to be successful.

That's our success story. For that success story we have probably 11 or 12 students who will never be able to return to the public system. Either they're so far behind or their needs are so great they will not survive in a regular high school where they're held to the programming. For that we're eternally grateful that alternative programming still exists. With the amalgamation of the boards—we're kind on the other side of the Humber River—we've been able to access some of the downtown programs, which have had the most developed alternative programs, although we work in a building with a program for over 16-year-olds which is similar to ours, but these kids are no longer mandated to attend school.

That program I'm very concerned for. They're not mandated under the Education Act. They exist because the board has managed to fund that program. We have at least 11 students who are going to attend that program, some of whom have decided that's the way they can learn. They can learn, working independently at their own pace, in a supportive environment but not in a big school. We felt it was important, whether or not or however this gets heard, to speak for the students who deserve to be able to continue in the public system with the supports they need, whose parents can't afford to take them out, however big the tax credit, and put them in a private school that's probably not appropriate for their needs anyway.

I don't want to lose any more than we've lost in the public system. It was good; it can be good again. That's where I want the money to go.

Mr Topping: Just to change slightly into a more generalized statement that may have nothing to do with alternative education per se, I think sometimes being an alternative teacher one doesn't necessarily think the way certain other people may, and I guess we pride ourselves in being somewhat unique in that way. One of the things that comes to mind is perhaps there is a solution to this in terms of funding of private schools. One thought, as naïve as it might be, is to somehow match or balance your new investment in the private system with new investment in the public system.

1210

Again, I'm quite naïve in terms of funding, never mind politics, but I thought perhaps that's a direction that might be worth investigating. What I teach my students who are studying algebra is that whatever you add to one side of an equation you should also add to the other in order for the equation to remain balanced. If you choose to maintain balance, you will consider this as an option.

A second point for your consideration, again more generically: assume a parent who receives a tax rebate for \$3,500 decides to donate it to the private school of his choice. Aren't we—you potentially—doubling the disparity or the funds available between the two systems in that particular case? What public school supporters would have this sudden influx of money with which to support the public system? I can only suggest that this intrusion investment in the private system will at least really complicate the natural market system. What policies are proposed to safeguard the public system should the entire system get out of whack? What safeguards are proposed that will protect the private school supporters from being gouged? What safeguards at all?

The Chair: That completes your presentation? Thank you. We have three minutes per caucus.

Mr Marchese: Thank you both for the presentation. The reason we were able to provide for alternate schools in the old Toronto system was because we had a tax base that we could draw on that gave us—I say “us” because I was there for a long time as a trustee—the flexibility to be able to respond to the different needs, because centrally, now that it's taken over by this government, we're losing sight of those needs and saying, “You either get the good help or, if you don't get it, it's too bad.” The alternative schools were a way to respond to those different needs.

I haven't kept in as close touch with the alternative schools as I would like, but they're in danger now, all of them, of not surviving because the board was able to put additional resources to those alternative schools to make them work. Without that, they'll disappear and so they will be in trouble. They will be on their own, because there won't be any additional help to keep those students in those school settings. Is that not the case? Is that not what's happening in some of those alternative schools?

Ms Mitchell: Exactly.

Mr Topping: Exactly, and certainly additional resources are a requirement for the high-needs students.

Mr Marchese: This government argues, even though it didn't argue this before, which includes the Premier and M^{re} Ecker, that now people should be given that choice, “Why don't we trust parents to make that choice?” They ought to have the choice to send kids to a private school, a non-denominational one, the Upper Canada College type—and by the way, no one has come to present from that sector because I think they are a bit nervous—

Mr Spina: Montessori came.

Mr Marchese: She was here yesterday. The Montessori person was here, you're quite right and a lot of different—but the Upper Canada ones, the ones who—

Interjection.

Mr Marchese: Oh, they don't matter? So those people are not here, and they argue that the other people who want to make a choice to send their kids to a religious school, or not religious, should have help from government so they could have that choice.

We had one teacher here yesterday who said their ratio was 1:15. I said, “My God, which parent wouldn't want such a choice for their kid?” We don't have that in the public system, but we're giving people money so that they can have that ratio in that private school—God bless. That's what they're advocating. They're saying people should have that choice and shouldn't we support it with money? What is the response to that?

Mr Topping: We have 77 students, two teachers.

The Chair: The government side.

Mrs Molinari: Thank you very much for your presentation. I'm familiar with the supervised alternative learning for excused pupils program. In my former job, I was a school trustee and chair of a board. I also served on the SALEP committee as a parent and so I'm quite knowledgeable of the work that SALEP does to address some of the at-risk students who are in the system. You've indicated in your presentation that although it's a mandated program, the government doesn't directly fund this program.

Special education is funded in a number of ways through the grants that are given to the schools. One very specific grant that provides for special education is the SEPPA grant. That's the special education per pupil amount that goes to each individual board. It's an amount for every student who is enrolled in the school. Then there are other special-ed grants, the ISA grant and the various one, two and three, depending on those that are identified in the various areas. So these students receive the services through the school board as a mandated program and it's all within the special education funding that the boards get.

You may argue that it's not enough, and certainly we hear those arguments often from people coming forward, and that the education funding is not enough and that we need to put more. We are increasing funding in education. There are various pressures there, but it's been consistently increasing since 1995. Certainly it's incumbent upon the boards to be able to distribute the funding that they get to the students which they serve.

As a mandated program, I can speak on the direct result that it had with the York Catholic board, that it was very successful in being able to serve some of these students who would at times come back. They would go into a supervised program for a period of time and then the intent, at least my intent as a mother and as a trustee, was always having them come back and continue their education. But they have different learning styles, and it's a wonderful program.

In your presentation you talked about the small alternative program that served adolescents 14 and 15 years old, and this is also provided within the general funding in the alternative school. May I ask, I don't know if you've mentioned, what board that's with? What board is that with?

Mr Topping: The former Etobicoke board. It's the Toronto District School Board now.

Mrs Molinari: Is that program still up there?

Mr Topping: Yes. In fact there are a number of programs across the city.

Mr Phillips: I think it's unfortunate the government didn't ask our witnesses a question and give you a chance to express your view.

I would just say, on the funding side the government provided the numbers here: \$75 million less this year than last year; the government's own numbers. It shows per pupil spending up at half the rate of inflation over the last five years.

When the rest of the world is investing in education, we're not even keeping pace with inflation. We're starving public education. But the government said they've got at least \$300 million to provide funding for private schools. It was just two years ago they argued, by the way, strenuously against it and said, "It would result in increased public school closings and the reduction of the range of programs and services a public system can afford to offer." That's what they said two years ago.

My question is this: in terms of providing for the needs of some of our most deserving, is the government's approach now, spending at least \$300 million on private schools, the right approach, or would we be better to be investing in at least trying to keep pace with inflation for our public schools?

Mr Topping: If I could answer this way, I remember I was a teacher when Bill Davis made his announcement for the separate boards, and we weren't going through the same consternation about funding for each child as we are now. So my answer is, the time is not right, if at all, to do this. I do believe it will on the backs of these kids, all of whom are deserving, to be honest, in my opinion.

We see the most disadvantaged who, you might argue, are less deserving or more deserving. Frankly I think what we see, and we're talking about success rates, is 90% of our students return to school. That's why the boards invest in us, because we bring kids back in much better shape than they were beforehand, usually because they are emotionally in better shape, educationally they've been upgraded in their skills, and their self-esteem has been built because of their successes.

We are not funded and even though a small percentage of our students are special-ed students, that funding doesn't come directly to us and it's only a percentage of our students. Many SAL programs do not accept special-ed students into them because they have been given much support along the way.

So my answer is I do not support the government at this point spending money toward private schools. I think

it's far too risky and it'll be on our backs and on the backs of the students that we serve.

The Chair: With that, we've run out of time. On behalf of the committee, thank you very much for your presentation this morning.

This committee will recess until 4 o'clock this afternoon.

The committee recessed from 1220 to 1606.

ONTARIO FEDERATION OF LABOUR CANADIAN UNION OF PUBLIC EMPLOYEES

The Chair: I'll bring the committee back to order. It's slightly after 4 o'clock. I know your agenda may only show our first presentation this afternoon as the Ontario Federation of Labour, but the Canadian Union of Public Employees is also included. I would ask the presenters to come forward and state your names for the record, please. On behalf of the committee, welcome. You have 20 minutes for your presentation.

Ms Irene Harris: Good afternoon. My name is Irene Harris. I'm the executive vice-president of the Ontario Federation of Labour. With me is Brian O'Keefe, who is the secretary-treasurer of CUPE Ontario. I'm going to start with some comments and then Brian will also be adding comments as part of our overall delegation.

I'm here today representing the 600,000 men and women affiliated with the Ontario Federation of Labour, many of whom are parents and grandparents with school-aged children. On their behalf I want to express our opposition to Bill 45, the Responsible Choices for Growth and Accountability Act.

The OFL is opposed to the use of public tax dollars to fund private schools. The government estimates that the tax credit will cost at least \$300 million per year, but we note that that is premised on no growth in private school enrolment. This \$300 million is a huge loss to our public education system. It is \$300 million that will not go to improve our public school system. It is \$300 million that will not go into better libraries, smaller class sizes or cleaner and safer schools. It is \$300 million that will not go to programs to help our children develop their talents. It is \$300 million that will not go to help children with special needs. It is \$300 million that will come out of our pockets as taxpayers and will ensure that the majority of children in the province have less opportunity than they had before.

The next issue I want to speak to is justification for this legislation, which we believe the government has not given. We just want to comment on one point. We note that the UN ruling on school funding in Ontario seems to be Premier Harris's favourite justification for introducing this tax credit. I find it interesting that the Premier is so concerned with the UN position on this issue but feels free to violate other UN covenants at will. For example, Bill 22, Ontario's workfare legislation, was cited by the UN as a violation of international law to which Canada is a signatory. In December 1998, Bill 22 was found to be a

violation of the International Covenant on Economic, Social and Cultural Rights, yet I have not heard the Premier make any plans to correct that injustice.

The next issue is one of accountability. Private schools in this province are not subject to the same standards as public schools. They are not required to participate in standardized testing, hire qualified teachers with valid Ontario teachers' certificates, adhere to standard curriculum or report their finances to the government. All that is required to open a private school is \$250 and a simple application form. Private schools are also permitted to discriminate both in their hiring practices and in the choice of which students they accept. The Premier has tried to suggest that anti-discriminatory laws will prevent such discrimination, but we note that section 18 of the Human Rights Code specifically exempts religious and educational institutions from having to admit students and hire teachers on a totally non-discriminatory basis.

This government has shown its true agenda by introducing these tax credits. That agenda is to increasingly privatize the education system in this province. The government has starved school boards into contracting out and public-private partnerships. It has caused chaos in the system through its funding formula and school board restructuring, not to mention the hasty and under-resourced new curriculum, standardized tests and new report cards. It has consistently hammered education workers throughout the system, causing an all-time low in staff morale and an all-time high in labour unrest.

Now the Premier and the finance minister introduce tax breaks to divert tax dollars from the public system into private schools. First they give parents reason to want to leave the public system, and now they provide them with the means to do so. We know where this path will lead. It will lead us to a two-tier education system: one for the wealthy and an inferior one for the rest of us. This latest move will have a spiralling effect as resources and teachers move out of the public system and into private institutions. Kids from poor and working-class backgrounds will be left behind in an increasingly neglected system. This proposal was not part of the Tory election campaign and in fact both Premier Harris and Education Minister Janet Ecker have previously spoken out against introducing a voucher system. And these tax credits are just that: a first step toward a voucher system for education in Ontario.

I just want to say a few words about these hearings that you're holding. I'm glad to see that the other members were able to be here. In Ontario we have not been afforded the basic democratic right for people to have real, meaningful input on this important issue. We were offered last-minute hearings in five cities, which the government euphemistically refers to as "public consultation." We understand that there are at least 800 individuals and organizations applying to fill roughly 130 spots, which were given away by this government to special-interest groups supportive of the legislation in a ratio far exceeding their actual numbers. We are here today because we believe that in democracy there's always a

chance that there will be someone listening to what we have to say, but we have our doubts, given the way these hearings were rushed so quickly in their organization, the way people were allocated their positions, and a real concern that on such a major piece of legislation this government has the gall to only go to the few cities in the few days they've given on this kind of issue on such a major thing, such a major structural change in the education system that's going to be made today if this tax credit scheme goes ahead.

In conclusion, we urge you to put the future welfare of students and our public education system ahead of your ideology of privatization at any cost. Don't destroy a quality education system for all citizens for the sake of a tax break for a few. Scrap the tax credits and start putting the money back into our public education for the sake of our students and our future. It's our future that's absolutely critical. If this kind of stuff continues to go on, we will soon not have a public education system and there will be many in the future to answer to future generations for that.

I'll now turn it over to Brian O'Keefe, who's going to add some more comments.

Mr Brian O'Keefe: I want to pick up where Irene left off on the consultation issue. My union represents 45,000 members in the school board sector. We represent most of the support staff both within and outside the classroom. We take real exception to the fact that we did not receive a spot in these hearings. My office had to scramble in order to try and get a spot. We were in touch with the clerk's office on numerous occasions and our entire administration was tied up in knots over the situation. We find that quite unacceptable. We're forced into a situation where we have to share a spot with the Ontario Federation of Labour, and I think that's really regrettable.

The point that Irene made about the fact that this is a major legislative change—in fact it dramatically orders the entire public education system in this province, and to think that you would only allow one and a half weeks of hearings for an issue as important as this I think says something about the attitude to democracy in this province. Certainly the hearings that are going on here are a travesty in relation to the way issues like this were previously dealt with in this Legislature. I think this is an unfortunate historical development, and this government has a lot to answer for regarding the way these hearings are being conducted. That's the first point I want to make.

The second point I want to make is that there is an appalling underfunding in public education right now. Our figures are that somewhere in the vicinity of \$2 billion has been taken out of the education system. There's chaos out there. There are problems with special education, with libraries, with all sorts of other support services, with heritage languages—all those support services that are so important to a quality, diverse public education system.

To think that you would consider introducing a tax credit for private or independent education at this point in time is unacceptable. It's hard to believe that this would be done in the light of the remarks that were previously made by the Premier on this issue.

We have no objection to independent schools and to private schools, but we are vehemently opposed to using tax dollars to support that. The education system of this province was built up over many, many years, and there's a huge amount of choice within the system. If you want diversity and multiculturalism in our education system, the best way to do it is through our public education system. We have a very diverse population in this province right now, particularly in the GTA, and it's really important for the integration of our society to have these people together in the same schools. This is a very negative development, and I think we're going to have to answer for it down the road.

I really want to address the opinion poll that was conducted by my union and by the Ontario Secondary School Teachers' Federation, which showed that 67% of the population are totally opposed to this sort of development. But I think the figure that was most interesting in that poll was the number of parents who indicated that they would consider pulling their children out of the public education system with this tax credit, and that figure was as high as 15%. Irene mentioned a figure of \$300 million as a cost to the taxpayers for this initiative, but that is a best-case scenario. Based on the figures in the poll that we did, the indications are that if it's 15%, we're talking about something pretty near \$1 billion, if those 15% of parents in this province were to pick up on this initiative. So this is destructive, it's going to affect our public education system in the worst possible way, and I urge you very, very strongly not to pursue this initiative and to withdraw it.

The Chair: Thank you very much. We have approximately a minute and a half per caucus, and I'll start with the government side.

Mr Galt: Thank you for your presentation. I appreciate your concerns.

I'd like to spend just a minute—you talk about the \$300 million, the possible extreme that it may cost, and you also say that's with present numbers, that if it's increased, it's going to go up. But the experience we've had with other tax cuts is that they've stimulated the economy, put dollars back into the system. This is a not a voucher system where you collect the tax dollars, take it and then spend it as you would in the public service. This is leaving it in the hands of the parents to give them a bit of a tax break when it comes to sending their children—and certainly from what we're seeing with the kind of revenue that's come in to the province of Ontario with the tax cuts, they've been tremendously successful in stimulating revenues. So it is not \$300 million that is lost from the system. If it was based on assessment, on residence or something like that, then I could understand your concern, but this is a very fluid elasticity of demand and supply and changes.

The other one I wanted—

Ms Harris: Is there a question there?

The Chair: You've got 30 seconds left.

Mr Galt: In connection with the consultation you talked about, I just want to point out to you that in our first term we had 798 hours of consultation with committee, the Liberals had 349 hours and the NDP had 645 hours. What they asked for in the House—the NDP asked for 80 days; that's about what they had in total for their consultation. That's what they asked for on this bill.

The Chair: With that, Mr Galt, we've run out of time. I must—

Mr O'Keefe: I'd like to respond to that.

The Chair: No. I'll go to the official opposition.

Ms Harris: Sir, do we get to answer?

Mr O'Keefe: Do we get a chance to respond to that?

The Chair: I'm sorry, we've run out of time. I'll go to Mr Phillips.

Ms Harris: But how does that—

Mr O'Keefe: What sort of consultation—

The Chair: I'm sorry. I've got a minute and a half for each caucus. They were warned. I'm going to go to Mr Phillips.

1620

Mr Phillips: It's tragic. The OFL and CUPE are two well-regarded organizations, and I value your input. You research things well.

I just want to say, among other things, I wish we had more time. This is the government's brief to the United Nations arguing against extending funding to private schools. They use strong language in this. They say, and I'll read this, "If public funding were provided for private schools established for the purpose of meeting specific religious needs, it is difficult to see why public funding would not also be provided to private schools established to provide other specific needs of language, or ethnicity or culture. This would have an adverse effect on the viability of the public school system, which would become the system serving students not found admissible by any other system. The benefits which society now derives from a public school system would be reduced. Such potential fragmentation of the school system is an expensive and debilitating structure for society." There's page after page of this.

As CUPE, because you're very close to the educational community, have you any evidence of why the government has suddenly changed its mind and gone in exactly the opposite direction than they argued strenuously two years ago?

Mr O'Keefe: Can I answer that?

The Chair: You've got your time. Everybody's got a minute and a half, sir. You can reply, and if you don't reply, I'll have to go to Mr Marchese.

Mr O'Keefe: We've got a minute and a half to reply?

The Chair: No, no, you can reply.

Mr O'Keefe: It's absolutely outrageous that the government at the time of the last election and in the remarks around the UN situation said quite clearly they were totally opposed to this situation, and here we've got a

massive flip-flop. You're absolutely right: I agree with everything you said.

Mr Marchese: I appreciate the presentation. Of course, everybody's been saying these things that you've been telling us. There is a chorus of people saying the same stuff, and they continue to deny it. So it's, we say this, they say that. That's the extent of these hearings, basically. You say there is \$2 billion in cuts. You have Galt, there—he's a happy, cheerful guy—all the time saying, "No, that's not true. We poured in millions and millions." It's not just M. Galt saying it; they're all saying it, and it's getting tedious. We need aspirins here to survive it.

The problem is the philosophical shift. Not only will money be lost out of the public system—I believe that sincerely. Your poll shows that there will be a pickup, and it's close to 15% saying that they're likely to take this thing on, because it's a tax credit. It's an incentive, right? But it's the philosophical direction that scares me. They're now saying that it's OK to give money to people to send kids to private schools: religious schools or private non-denominational. It's not a problem: "Please don't worry. It's not a big deal. It won't affect anybody. It's great for diversity." Multiculturalism is now their new line. That's basically it. You can respond to me and then maybe respond to what they had said as well in your time.

Ms Harris: Just on the tax credit point, there are a lot of economists who'd say that has not stimulated the economy. I don't see how it's going to stimulate the economy when you're just taking the same money out of the public system and moving it over here to the private school. I think it falls in line with that philosophical shift. We've seen it in health care and now we see it in education. They want not to be providing public services and they want to give it to their friends in the private sector. It's just a business deal for their friends in the private sector, is what we can see.

The Chair: On behalf of the committee, thank you very much for your presentation this afternoon.

ALLISTON COMMUNITY CHRISTIAN SCHOOL

The Chair: Our next presentation is from the Alliston Community Christian School. I would ask the presenter to come forward and state your name for the record. On behalf of the committee, welcome. You have 20 minutes for your presentation.

Mr Garry Zondervan: Thank you. My name is Garry Zondervan. I'm from the Alliston Community Christian School in Alliston, Ontario, which is just west of Barrie. I'm a parent of four children and my children attend the Alliston Community Christian School, also known as ACCS. I've taught for many years as a certified teacher in Christian independent schools, and I'm currently the principal at this school.

I come today not because it's easy for me to be here, for I am somewhat out of my comfort zone, but because

it's the right thing to do. One of the greatest joys I have as an educator is to see students move beyond their comfort zone, spurred on by words of encouragement and instilled trust for success in order to accomplish things that they once never thought possible. I must therefore lead by example.

I continue the fair funding campaign for independent schools that my forefathers began several decades ago. I speak primarily for my four biological children, for the 100 students at my school and their parents. I thank and support the Ontario Alliance of Christian Schools for their time and energy for lobbying on our behalf and I also thank the PEC organization for their time and energy.

Children in independent schools are people too and deserve government support as other children do in our province. I am here to discuss school choice and empowering parents as the people best suited to make those choices for their children. That is the issue.

The current situation: I begin with thanking the PC government for your party's initiative in creating a tax credit for supporters of independent school supporters. Thank you Mike Harris, Jim Flaherty, Jim Wilson, my local MPP, and all other MPPs in the party. Congratulations on doing the right thing.

Despite what certain groups are saying, the vast majority of people like me who support an independent school are not to be counted among the wealthy and the elite mentioned in the press. Approximately 80% of parents choosing independent schools do so for religious, cultural or pedagogical reasons. We are honest, hard-working citizens of Ontario who simply cannot find what we need educationally in the public schools. We will continue to pay taxes toward the public system, and are glad to get a little financial relief in regards to what we pay towards the school our children attend. The tax credit will give our hard-working parents a little breathing space for the short period of time that their children are in school.

Our support for the tax credit can be summarized in three statements: All students who receive a good education deserve government support, and we are glad that the government recognizes the value of our children's education. Secondly, parental choice is a good thing, especially for low-to-middle socio-economic families; choice encourages parental involvement. Third, maintaining a strong commitment to a quality education system is also a good thing. This budget announced addresses all three of these things.

The Alliston Community Christian School is an independent elementary school from JK to grade 8. It's been offering Christian education in its community for about 20 years. It's a member of the Ontario Alliance of Christian Schools.

This school is comprised of 100 students of both genders, from the challenged to the enriched. We have 11 full-time and part-time staff. All staff are certified. We have always, and will continue to, adhered to the Human Rights Code in the hiring process. Our teachers are hard-

working and are actively and willingly involved in extra and co-curricular activities. They do a great job for little pay.

Our goal in education is to make good citizens. Our curriculum meets and/or exceeds ministry standards. Our students have scored consistently high, above average, on the Canada test of basic skills. We accept all students, even those with challenges, provided we can meet their needs. We have recently received health care funding, so this will only improve in the future. Our graduates are fully prepared to meet the challenges of secondary education.

Why do we send our children to independent schools?

Empowering parental involvement and choice is a good thing. The one-size-fits-all approach of the public system cannot fit everyone. The approach is too ideal; it does not coincide with the diversity and freedom of which Ontario boasts. A monolithic single system of education does not serve democracy. Democracy is about diversity, not making everyone conform. Tolerance is about enabling good citizens to participate in a democratic society. The tax credit is one step toward that goal.

Parents must be trusted to choose the education that best serves their children, no matter what that choice may be. Why is it that parents are choosing girls-only math and science programs for their daughters? Why do parents choose French immersion or alternative discipline or arts-based schools? Because they don't want their kids with other kids? Definitely not. The reason is that the education we choose for our children is the best fit possible. Others get a good fit and it's publicly funded. Our choice, which is equivalent to the variety offered publicly, is available to us but with a substantial financial penalty. The tax credit addresses this inequity.

Accepting all parents' educational choices is an idea which will require tolerance on the part of the general public. We don't expect the general public to agree with our choice, but accept it they must. Parents know what is best for their child. We accept other parents' rights to send their children to public and separate schools. We may not agree with their choices but accept them we must. The tolerant and democratic response would be for our choice to be honoured in the same manner.

1630

I have several examples of families from our school that demonstrate the need and benefits of parental choice. The first one is David. He came from the public school system and into our independent school system. He was being picked on by gangs, had very low self-esteem and didn't feel really good about living. His parents looked for an alternative and found our school.

David graduated last year from grade 8 feeling very good about himself, feeling protected and feeling that he could accomplish great things. I can remember a field day. He was always mocked about his inability to do sports. He was afraid to participate; in fact, he received a note from his parents that David should not participate in field day. I challenged David. I said, "What is your fear?

All we expect is to do the best of your ability," and David said, "At the last school I went to they picked on me. They made fun of me. I'm not that good at sports." "You don't have to be good. Just do your best." David regained some confidence. I said, "If anyone teases you, I will deal with them."

He went and he accomplished that he never accomplished before: he went out of his comfort zone. He trusted me and trusted that he could accomplish something. He ran the race; in fact, he came first in his heat. The students around him were just elated that he could accomplish something that no one thought he could do, that he himself thought he could not do. This is one example of how parental choice has benefited a child who would have been lost in another school system.

Jeff ran away from school two weeks before the close. He was shutting down—he has learning disabilities—and he didn't want to go to school. He hated school. His parents found our school. Not that we are heaven, but we offered an alternative, a better fit for their child. Jeff now has made tremendous progress. His parents, in order to afford this education, have sold their country home and moved to town, into a small home so that they could afford tuition.

Ryan came to our school in grade 2. He wasn't fitting in with the crowd, his classmates, either. He had a short attention span and people were picking on him. He hated school; very low self-esteem. His mother spoke last night at a membership meeting about how our school has been a tremendous blessing to their family. Ryan is ready to graduate this year, fully confident, feeling good about himself that he now can accept going on to secondary education.

There are numerous children in our school with the same stories. The primary reason, however, why parents send their children to our school, a Christian independent school, is the Christian faith, which adheres to biblical morals and principles. It's integrated in all aspects of learning. The integration of faith goes well beyond teaching the Bible as a subject. Our religion is not compartmentalized but permeates everything we think and do. It defines what is truth, what is of value and our reason for existing. Sending our children to a school that does not endorse and promote the same morals and beliefs as the Christian home I believe will only bring confusion to the child. In sending our children to a Christian school, we are receiving an added value not available in the public system.

Are we segregating and promoting children of intolerance? Absolutely not. Studies show that children who are secure in their culture and traditions are more tolerant. Tolerance is a religious idea in the first place, and we continue to pass that on to our children. Our schools are just as diverse as any other segment of society.

Some families cannot find what they need in public education. Public schools cannot be everything to everyone.

The benefits of the tax credit: tuition in our school only covers 80% of the operational budget. That means parents are actively engaged in fundraising efforts all year around to come up with the extra funds required to balance the budget. We are often nickelling and diming our members to death with petty fundraisers, which is emotionally and financially draining. The tax credit will bring financial and emotional relief to our parents. This too will boost morale.

Since our school is parent-operated, the tax credit would also give our parents renewed energy and time to concentrate on progressing with quality Christian education rather than on efforts to raise money to make it all happen.

The tax credit will help us better provide for the needs of all our students, from the challenged to the enriched, not to mention some of the basic needs such as textbooks, desks and computers.

Some people see the proposed tax credit as taking away from the public system. This is not true. I understand that the credits come out of a different budget. If there is a genuine concern about funding for the public system, that should be addressed, but this is really a separate issue from the question of fairness and choice that this hearing involves.

Will there be a mass exodus into the independent schools? In other jurisdictions, 10% of students go to the independent schools and most of them are there already. For the most part, parents who are committed and serious about independent schools and Christian education are already sending their children to these schools. If it is not affordable, most schools, including ours, have a tuition assistance fund that assists families who desire independent education for their children but do not have sufficient income to pay full tuition.

A few comments to the parties in opposition: the Liberals and NDP have not been responsive to our requests over 50 years. Those opposed to the tax credit have been mostly unions and school boards, which seems somewhat self-serving; ie, no parents of public school kids? Those who are speaking in favour for the most part are parents, principals and volunteer board members.

The government's commitment to the publicly funded systems will benefit all of Ontario. If critics are looking for enemies to the public schools, they will not find them in the ranks of independent school supporters. Parents whose children attend independent schools have gladly submitted and will gladly continue to submit their taxes to these systems, believing that high-quality education is the goal for all students in Ontario. By paying taxes we give to the common good of this province. Empowering parents' choices for independent schools by way of a tax credit will also serve the common good.

The question my grade 7 and 8 students posed as I talked to them about how I was coming here was: "What would happen if our students in independent schools should show up tomorrow at the doorstep of public schools or Catholic schools? Would it cost the government about \$600 million to provide education for these

kids?" The tax credit would only cost approximately \$300 million, one half of the cost to educate one child.

I expect that you will do the right thing. Turn from your opposing views and support the PC government for the benefit of all children, including children in independent schools, for the common good for all Ontarians.

My last comments are to the PC government: this move by the government is about empowering choice. It is about trusting parents. It is about a government that is willing to do the right thing. It is about ending injustice in Ontario for public good.

Thank you for listening to our request for justice. This move has taken courage and we applaud you for it.

The Chair: Thank you very much. We have two minutes per caucus, and I'll start with the official opposition.

Mr Phillips: Thank you for your presentation and your obvious passion about the issue. I go back to what the Conservative government said about this issue, because it's their words. You probably have had a chance to read the submission they made to the United Nations two years ago when they were arguing against extending funding. I'll read a couple of paragraphs just to get your response to why they were worried about that then and why we shouldn't be concerned about it now. This is just an example:

"One of the strengths of a public system of education in a province and a country which are committed to a policy of multiculturalism is that it provides a venue where people of all colours, races, national and ethnic origins, and religions interact and try to come to terms with one another's differences. Such a process is not without its problems and frictions, but the fact that the public school must deal with the varied needs and interests of the total population makes it a valuable institution for the creation of better understanding among the various groups. In this way, the public schools build social cohesion, tolerance and understanding.

It goes on to say, "... if public funding were provided for private schools established for the purpose of meeting specific religious needs, it is difficult to see why public funding would not also be provided to private schools established to provide other specific needs of language, or ethnicity, or culture. This would have an adverse effect on the viability of the public school system, which would become the system serving students not found admissible by any other system. The benefits which society now derives from a public school system would be reduced. Such potential fragmentation of the school system is an expensive and debilitating structure for society."

Again, those were the Harris government's words about why, two years ago, they felt it would be wrong to proceed this way. Can you help us a little bit in terms of why that shouldn't be a concern today if it was a concern two years ago?

Mr Zondervan: I don't personally see it as a concern. Children deserve and have a right to education—all children in our province—and governments will perhaps change their mind on issues as they become more in-

formed, as they deal with and see and hear from people like ourselves speaking out on behalf of our children and our society. I really believe that they are doing the right thing for our children.

1640

Mr Marchese: Mr Zondervan, I have no doubt that you are honest and hard-working and that the community you represent, most of them, are probably not rich. I believe you. That's not the problem.

New Democrats are opposed to public dollars for private schools whether they are religious or not. There is no doubt in my mind that with the non-denominational ones by and large—because there are some exceptions—like Upper Canada, the people who send their kids there are rich people. If they can afford to pay \$16,000 to send their kid there, I think they're pretty well off. If they bunk down there, if they sleep there, it's \$28,000. It's a whole lot of money for people. If you can afford that, you're doing well. They're rich. But I suspect most of you who send the kids to religious schools are not. I accept that, but we don't support public dollars for religious schools in that way.

I tell you, I worry when I read things that are written in the Nexus publication, where they say, "The Christian sees the world differently from the non-Christian world view exemplified in the ministry curriculum perspectives." I appreciate that you have that view, and that's why there are private schools, right? But do we need public dollars to make sure you're able to put that out? In another statement of educational philosophy from the Toronto District Christian High School it says, "The Toronto District Christian High School, along with other independent schools, reject the intrusion of a government-imposed curriculum."

You see, we've got no choice in the public system. They impose it on us every day, because they think it's good for us, whatever they impose. But in these statements you and your community are saying, "We don't like it—it's totalitarian to do that—because we've got a different approach." Do you think money should flow to you even though you have a totally different approach and you want to do whatever you want to do?

Mr Zondervan: I don't think money is going to flow into our system.

Mr Marchese: To the parents who want to send kids to religious schools.

Mr Zondervan: Right. But we're already paying and have the right to have our children in the public school system. So you're using our money to educate the children of Ontario. We're giving money to the public school system and not receiving any benefit.

Mr Marchese: We're happy to have you in our system.

Mr Zondervan: Right, but it will not work that way. The public school system cannot meet the needs of all the children in our province.

Mr Marchese: Then we should fight for it. We should all fight.

Mr Zondervan: You're talking about an impossibility.

The Chair: With that, we've run out of time. I have to go to the government side.

Mr Hardeman: Thank you very much for your presentation. I just wanted to go to the issue that Mr Phillips was bringing up to you. I understand your difficulty in trying to answer Mr Phillips's question, because the proposition that was before the UN was based on the ability to provide full funding for all types of education or full funding for one secular system and none of the others. Their recommendation, of course, was to offer full funding to all religious schools, discontinue funding for the Catholic system or provide religious education in one system. Our government, of course, disagreed with all those assumptions. We still do.

What we're doing here in this bill—and I think you point it out very aptly—is providing some tax relief to those parents who are making that conscientious choice that for their own reasons they want to send their children to a school that teaches differently or that has different attributes that are presently not available in the public system that is there.

As a government we remain as committed as we ever were and always have been, former governments and our government, in fully supporting the public education system, because we believe that is good for the province of Ontario. We also believe that parental choice and fairness is important to the people of Ontario and I think particularly, as you pointed out in your presentation, important to the people who support your school.

With that, I want to inform you and make sure you understand that we are committed to keeping up the principles of our Constitution which say that we will have those two systems. We are committed to fully funding the public education system, but we also believe that there's room for parental choice and that there is room for fairness in our system to help those people who make their choice for their own good reasons. I want to thank you very much for your presentation.

The Chair: With that, Mr Hardeman, we've run out of time. On behalf of the committee, thank you very much for your presentation this afternoon.

CANADIAN UNITARIANS FOR SOCIAL JUSTICE

The Chair: Our next presentation is from the Canadian Unitarians for Social Justice. I would ask the presenter to come forward. Please state your name for the record. On behalf of the committee, welcome. You have 20 minutes for your presentation this afternoon.

Mr Douglas Rutherford: I represent the Canadian Unitarians for Social Justice. It's a social action group that's affiliated with the Canadian Unitarian Council, which represents the Unitarian denomination in Canada.

Before I begin, I would like to point out that I am grateful for some of the help I received in putting this together on such short notice from the staff of the Ontario

Institute for Studies in Education. Some of the facts I have here come from that source.

Another thing I would like to point out before beginning is that the Unitarians, particularly in the Toronto area—and I go to First Unitarian Church—have a very interesting historical connection with the public school system. The founder of our congregation, Dr Joseph Workman, was the first chairman of the Toronto Board of Education back in the 1840s. He, together with Egerton Ryerson, who was a good Methodist, were committed champions of secular and universal education and introduced it into this province. So we've always been very sensitive to this issue, and that's one of the reasons I'm here today.

We strongly oppose the introduction of a tax credit for private school tuition fees.

First, the policies of this government have already seriously weakened the public school system. With local school boards stripped of power and parents not allowed to decide how to fund their children's education because the taxing power has been shifted to the province and parents haven't got the authority to go to their local trustee and say, "I want you to spend this or that in the system," since parents are not allowed to decide that, the public schools have no flexibility to cope with the crisis that this government continues to create.

This proposal can only exacerbate an already difficult situation. Unlike public schools, the private schools that will benefit from this legislation have the right to reject students they deem unacceptable: children with learning difficulties, handicaps and language difficulties. They do not need to build and maintain expensive vocational educational facilities. The inevitable result will be the removal from public schools of large numbers of children who are relatively easy and inexpensive to educate. The proportion of children in the public system who are more difficult and expensive to educate will rise. Every removal of a child from the system lowers the capacity to educate those who remain.

Second, a strong public school system which educates most children is the foundation of a democratic society. If large numbers of children attend schools segregated by religion, social class or parental income, the long-term result will be a society less unified, less tolerant of differences, less willing to share and less willing to work together. This is not a society that I believe Canadians want. Parents certainly have the right to educate children as they see fit, we accept that, but a government interested in the common good should not actively encourage abandonment of the public school system.

Third, it is impossible to believe that this legislation represents the will of the people of Ontario. Similar proposals, almost all of them less radical, were voted on last fall in 35 US states. Each and every one was rejected. The vast majority of Canadians, like the vast majority of Americans, do not want their taxes used to subsidize private education. It is clear from the effort to curtail these hearings that this government understands they do not have public support on this issue.

In summary, this proposal is socially irresponsible. It will weaken our schools and eventually our society. It does not have the support of the people of Ontario, and it should be abandoned.

1650

The Chair: Thank you very much. We have four minutes per caucus.

Mr Marchese: Thank you, Mr Rutherford. You've heard Mr Hardeman and Mr Galt. They say that they're strong defenders of public education. You've heard them claim they've put in more money than other governments, in fact, and so when they give this choice to these parents to send their children to religious schools or other private schools, you shouldn't worry, because it's not going to affect public education. They're trying to convince me and people like you that money will not come out of the public system whatsoever, and they also try to convince us there will be no sizable number of people leaving the system. They say it hasn't happened in other jurisdictions, so you shouldn't be worried, first of all on the economic front; and second, on the other argument with respect to the choice argument, they're saying it's good for multiculturalism, it's good for diversity, it's great for the country for us to be able to give a tax credit, which is public money—a tax credit is public money—to them because we're just allowing parents to do what's good for their children, and what's wrong with that? What's wrong with that?

Mr Rutherford: Mr Marchese, dealing with your first question, I agree with everything you're saying about tax credits. I recall the professor of taxation at York University saying that a tax credit or a tax subsidy is exactly the same as an expenditure, a public expenditure. He calls it a tax expenditure; it has the same effect. In this case, as it's already been pointed out, it's coming out of the tax dollars and if that isn't replaced by the government, then obviously the money that's going as a result of this subsidy is going to be lost at the educational system.

Dealing with the other point that you made, every educator I've heard and spoken with and read about in the paper is worried about what's happening to our public school system. I've heard teachers say they don't like to get up in the morning. Every time they read the newspaper, there's another horror being inflicted on the educational system. These are people who are professional educators in the system.

I'm a lawyer and I wouldn't want the government to micro-manage the way I practise law, and the teachers are being micro-managed in the way they, as professionals, are teaching. They're absolutely frantic, I know that, and they're leaving; they're leaving in droves. So I can't believe, Mr Marchese, that the public school is doing all that well, and I think this is going to make things worse.

Mr Marchese: The other point I want to make is that this government has imposed so many changes on the public system—for its own good, they say, imposed these changes on teachers and the system to make it better.

We've got no choice. If you're a student or a teacher, you are subjected to their will.

But I posed a question to the previous speaker where I pointed out, in terms of what they're saying in their own literature, they don't want this government to impose any curriculum on them, and I'm assuming that they don't want to be subjected to any other changes that we in the public system are subjected to. Why would we, why would this government then say it's OK to give you a tax credit and you can do what you want and you won't be subjected to the same principles that they're subjecting the public school system to? How is that fair?

Mr Rutherford: It doesn't seem fair to me, Mr Marchese. I don't know where all these policies are coming from. I have a confession to make. I did work for the government before I retired, not in education, I'm not an expert in education, but I know for a fact, and I worked for three levels of government, that when policies are proposed there's usually a period of consultation with people affected. There always has been in the past, every time. I personally used to go around to the municipalities and spend a lot of time talking to people to make sure that what we were going to do on another level was going to be acceptable. Why isn't it happening now? I'm trying to find out who's making these policies. I don't believe that they're coming—I may be wrong here—from professional educators. Everything is just too dreadful, everything I hear. I talk to teachers; they just throw up their hands.

The Chair: Thank you very much. Mr O'Toole.

Mr John O'Toole (Durham): Thank you very much for your presentation, Mr Rutherford. I really did appreciate the historic reference where you talked about the important history of Canada and certainly Upper Canada, Ontario, and how Mr Workman and Mr Ryerson were fundamental formula-makers in terms of the structure and order of society.

I take it that the foundation of Canadian society is basically Christian.

Mr Rutherford: In fact, at that time, there weren't any other minorities. It's true.

Mr O'Toole: So it's sort of inculcated—the Christian value system sort of got into the system—as it should be, because it's supposed to reflect society from the perspective that you spoke to earlier.

As a lawyer, you are accountable somewhere in the system—everyone is—whether it's through the law society or your own professional ethics perspective. I think that the important history is to say that Canada's cultural mosaic has changed. I think you would concede that point, that there's a tremendous—some would use “diversity,” some would use “mosaic.” “Mosaic” is not the same colours of glass; it's different colours within the mosaic to reflect the beauty of society in its diversity.

If you want to go back to the formation and that inculcation of the system within a system—and it has been flipped around. There isn't any Christian stuff in the public system now, technically; it has just been taken out.

It has become kind of secularized, to the point of neutralized. In fact, there's subordinated messaging within that.

Mr Phillips perhaps will allude to the important Waldman case at the Supreme Court, or at the United Nations, I guess, where he'll try to say that the government said that it would be fragmenting and divisive. The “fragment” word means that that's bad, and “divisive” means that's bad. That's what he's implying, but his premise is based on a false presentation of what the positions that were being put forward were. They weren't this model. It's a choice. You pay the money and then you get some tax relief for that particular expenditure. It's not full funding by any stretch, nor is it intended to be, as was the United Nations case.

The fragmentation-divisive argument is used as if—it's a contradiction. If you really think about it, and you're a lawyer and you think in these terms, I suppose—it sounds to me that there are poles of diversity.

The Chair: A question, Mr O'Toole.

Mr O'Toole: Would you not think, if you're using the case that the public system, this new neutralized system just sort of gets everyone looking the same or thinking the same, including the values that are taught, in contradiction perhaps to a family, are the right thing to do? Is not our diversity, our richness—

Mr Rutherford: Mr Spina, I don't know whether you remember back in 1960—

Mr Spina: I'm sorry, this is Mr O'Toole.

Mr Rutherford: I'm sorry. Is it Mr O'Toole? I just see different names here. Sorry about that.

Back in 1960, the big issue was the teaching of secular religion in the public schools. On behalf of the Unitarians—I wasn't at the government at the time, I'd like to assure you—I went to Mr Davis, who was Minister of Education, with a brief. As a result of that, two things happened: a royal commission was set up by them, the Honourable Mr Justice Mackay dealt with this matter, and also a very interesting experiment was carried out in the schools of North York, where two trustees proposed a system of religious education that was not secular, that reflected the common values of the religions that were represented in that community. That was introduced to create an education of values for the children.

So the diversity was kept in, the secular religion was out, and it has seemed to work very well for the last 40 years. We've come to the point now where I think the diversity in the school system is a wonderful thing. I grew up in the public school system in Toronto, down in town where there was a whole variety of different minorities. I learned to appreciate, very much, religions that were not my own. That's one of the things I liked about our public education system. It left me with some values. It didn't make me reject my own religion but it certainly helped me understand other people, and that we badly need today.

1700

The Chair: Thank you very much. I have to go to the official opposition. Mr Phillips.

Mr Phillips: Thank you very much for being here. Just to put it on the record, the government provided us with the funding for education yesterday. Just to support your concern, spending actually has gone down \$75 million this year over last year on public education. That's according to the government's own numbers. I look at the per pupil spending over a five-year period and we actually have not come even close to keeping pace with inflation, according to the government's numbers.

Two years ago the government argued against extending funding to private schools. They said, among other things—and I want to read you this statement and see whether you would share their view or not, the Harris government view. The Ontario government submits that, “One of the strengths of a public system of education”—one of the strengths—“is that it provides a venue where people of all colours, races, national and ethnic origins and religions interact and try to come to terms with one another's differences.... In this way, the public schools build social cohesion, tolerance and understanding.”

“Extending public school funding rights to private religious schools will undermine” this ability and may “result in a significant increase in the number and kind of private schools. This would have an adverse effect on the viability of the public school system, which would become the system serving students not found admissible by any other system. Such potential fragmentation of the school system is an expensive and debilitating structure for society, would lead to increased public school closings and to the reduction of the range of programs and services a public system can afford to offer.”

At the time, the Premier said this could cost \$300 million. In the budget, they say they're going to spend \$300 million on this. Would you share the then view of Harris, two years ago, that some of these strengths of our public system could be eroded?

Mr Rutherford: I couldn't agree more. I think it's one of the very points that our community and our denomination is making. We're worried about it. Our church is not exactly downtown, but it's close to downtown, and we really enjoy and it's important to have that multicultural aspect. Our kids need that, particularly when they're living in the Metro area, growing up in that. It's really important.

Mr Phillips: The government went on in its brief to say something that I found unusual. It said that extending funding “would compound the problems of religious coercion and ostracism sometimes faced by minority religious groups in homogeneous rural areas of the province who would be faced with the choice of attending a full and directly funded school of the majority religion, where compulsory prayer and indoctrination is practised, or attend their own, virtually segregated, schools.”

That was fairly strong language, I thought. That was the Harris language. This, I guess, is more for some of the rural communities in Ontario, which you may or may not be familiar with. Do you have an opinion on that statement?

Mr Rutherford: I didn't grow up in a rural community. I'm very much of a Toronto person. I have a summer place up in a rural community, and I know that there isn't much difference in the views, except for the Roman Catholics, who of course, have their own school system. My own feeling is that we can't mess around with that; it's in the Constitution. But apart from that, no, there isn't that kind of diversity. I really don't know how it affects the kids.

I wish they knew more about it, because we are a multicultural society, and they have to learn this one way or another. I'd like to see some of them maybe being bused down to Toronto for a little bit in some of these inner-city schools. I think they'd learn a lot that way, and they'd enjoy it.

The Chair: Thank you very much.

Mr Rutherford: You're quite welcome.

The Chair: On behalf of the committee, thank you very much for your presentation.

CANADIAN MANUFACTURERS AND EXPORTERS

The Vice-Chair: I'll call the next delegate forward; from the Canadian Manufacturers and Exporters, Ian Howcroft. Thank you very much for coming forward to present. The next 20 minutes are yours. You can use it to present or leave some time to be divided up among the caucuses. As you start, please state your names for Hansard.

Mr Ian Howcroft: Good afternoon. My name is Ian Howcroft, and I am the vice-president of the Ontario division of Canadian Manufacturers and Exporters. With me is Joanne McGovern, our director of taxation for the Ontario division. I'm going to make a few preliminary opening remarks before we get to the specifics of the bill.

Canadian Manufacturers and Exporters, or CME, was formerly known as the Alliance of Manufacturers and Exporters of Canada. Our members produce approximately 75% of Ontario's and Canada's manufacturing output, and our members are responsible for about 90% of the country's exports. CME represents a broad variety of industry sectors from all regions of the country and the province.

It's important to note that approximately 70% of our 2,000 corporate members are SMEs, small- or medium-sized enterprises. We've been around for 130 years—in fact, this is our 130th anniversary—providing our members' views and input to assist governments to develop public policy that would benefit the province and lead to economic growth and prosperity for all residents. At a recent board of directors meeting, CME identified five broad priority issues: tax and financial; environmental quality; trade and export; innovations; and skills shortages. At some level all these issues are linked, at least if we're to deal with them successfully. Of particular interest to this committee will be the issues of tax and financial, innovations and the skills shortage.

CME appreciated the opportunity to present our recommendations for the Ontario budget to the standing committee earlier this year. Overall we were pleased with the decisions made and the directions set in this year's budget; however, we had hoped it would have gone a little further in some areas. We'll speak to that a little later.

In our view, with a slowing economy, now is the time to demonstrate that Ontario is doing all it can to retain existing and attract new business to the province. By generating more economic growth and attracting more investment, it will help to create more opportunities that will result in more prosperity for all Ontario. The global economy is extremely competitive, and we must do all we can to ensure that we attract or earn our fair share. Consequently, we would like to have seen the complete elimination of the capital tax and the surtax. Again I'd like to state that the direction is right; we just had some concerns with regard to the magnitude, which we hope will be addressed in the future.

In our 2001 recommendations we strongly advocated an Ontario tax system structure which would maintain a healthy economy for Ontario and an improved competitive climate for manufacturers and exporters. As I mentioned, at the time we presented our tax reform recommendations, there was economic uncertainty. We stressed the importance of continuing to pay down the debt while pursuing key tax reform measures immediately, in order to secure a competitive marketplace for Ontario manufacturers and exporters, now and for the future.

Our key tax reform recommendations included: abolishing the capital tax; abolishing the corporate minimum tax; legislating the corporate rate reductions announced in the 2000 budget; enhancing the capital cost recovery system and accelerating the write-off of capital equipment; legislating full indexation of personal tax to inflation and eliminating the Ontario surtax; and legislating modifications to the super allowance to a single-rate, non-incremental allowance. We also made some administrative recommendations which we may address later if there's interest. Again, a lot of these issues were addressed and we're pleased with the direction.

In addition to the tax policy reform, our recommendations addressed the issue of the skills shortage. This is vitally important to the issue of sustainability to our members. The skills issue will continue to be more of a threat to our members and to the province's economy as the workforce ages. In our recommendations we encouraged the government to recognize this and to work with parties to try to come up with solutions in a co-ordinated approach or fashion that will really deal with it. It is time we looked forward to deal with this. If we don't find a solution, things will get worse. If you look at the statistics, by 2020 more than half the workforce that is currently employed will have retired. So it's an issue that we feel cuts across all ministries and all jurisdictions, that we want to focus on and work on with this government,

the college system, the education system, to try to come up with solutions that stand us well for the future.

Those are the opening comments I wanted to highlight. I will now turn to Joanne to talk about some of the specifics for the bill.

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Ms Joanne McGovern: After the announcement of the 2001 budget in May, our tax committee of about 200 members generally felt positive about the budget. First and foremost, they were pleased to see again another balanced budget, as was legislated. Second, the \$3-billion debt repayment was a positive measure, although our membership is still worried about the general \$110-billion debt. We have to continue on this track, and that's really the committee's number one priority.

A big issue for our tax committee and the CME in general, and an issue that has been a long-standing recommendation of the CME, is the abolishment of the capital tax. The CME sees it as an investment-unfriendly tax. We are happy to see some steps taken toward this by moving the threshold from the \$2-million mark to the \$5-million mark. However, quite frankly, our committee did indicate that the \$5-million movement was a drop in the bucket when we're looking at our members' intensive capital expenditures in their types of businesses. However, we don't want to mock it, because it has been mentioned and it is the right direction forward.

The second issue is on the corporate tax. The committee and the CME in general were happy to see that the corporate tax rate reductions were legislated to the 8% rate by 2005. That provides certainty and helps our members plan for their future calculations and future business planning.

We are also happy to see that the superallowance was addressed. The negative implications that were introduced by the federal government, we are happy to see the Ontario government recognize that and make some modifications. There are a few technical issues that still have to be resolved, but we're happy to be working with finance on some of those.

On the personal surtax side, to see the surtax for the middle-income brackets begin to be addressed was a positive sign. We recommended that the surtax should be eliminated for all income levels, and we'll continue to advocate for that.

Another area that we brought up in our recommendations was on computer software and the taxation of that. We're happy to see that it was noted in the budget and that the government intends on proceeding with consultations on that issue.

In terms of next steps, the CME will focus on the complete elimination of the capital tax in Ontario. It's a high-priority issue for manufacturers and exporters, and we believe it will benefit the Ontario economy as a whole.

Next year, we'll also be strongly advocating for the abolishment of the corporate minimum tax, which is particularly important to our members at this time of economic uncertainty. There are a few other issues that we'll push to be addressed in our recommendations next

year and up until that time, mostly on the administrative side and furthering, as Ian mentioned, a lot of the measures that began to be addressed in this 2001 budget. Thank you very much.

The Vice-Chair: That concludes the presentation? It looks like, then, we have about three minutes per caucus, starting on the government side.

Mr Spina: Thank you, Ian and Joanne, for coming forward. It's good to see you again. On one area you mentioned, the concern about the \$110-billion debt, I just offer this as perhaps a little bit of a plus that you may want to re-communicate to your membership: that \$3-billion paydown saves the government about \$90 million a year in interest payments, which is money that we can use toward other areas within the government, like health care and, of course, the other area which we talked about, in education. So I just wanted to share that with you.

We didn't go quite far enough. Is the phase-in for the five years OK, or do you think that could be shortened up?

Ms McGovern: On the corporate rate?

Mr Spina: Yes.

Ms McGovern: We're fine with that. We want something concrete; we want certainty. So if it takes five years to make it legislation and make it certain for planning purposes, that's what we need, certainty. Vague commitments don't actually help businesses plan.

Mr Howcroft: The reductions were announced last year. What we were hoping for was that they'd lay out a plan that would allow for the planning process, which is problematic when you know it may be coming but not exactly when. So we were pleased to see that.

Mr Spina: I would suggest to you that once this bill is completed—if and when we get it through, hopefully in the next couple of weeks—you'll likely see it laid out in very specific terms with the appropriate regulations, certainly, within the Ministry of Finance.

The Vice-Chair: You have about another minute.

Mr Hardeman: I was just interested—and we haven't heard much discussion about it anywhere—in the computer software cuts, a problem you suggested was going to receive some more consultation. Could you point out to me, and for those listening, what the problem is and why the consultation?

Ms McGovern: Specifically, the recommendation we made was on the GST on software. The GST currently applies to all software and companies. It's not just the high-tech sector, which we also have members of; it really relates to all companies that purchase software within their organizations. Because of the information age and small and medium-sized companies getting more and more up to speed on information technology, we think it's important to address that side of things and that the GST shouldn't be applied—sorry, the PST.

Mr Hardeman: On the GST I was going to wholeheartedly agree with you.

Mr Howcroft: We're thinking ahead to the future harmonized approach.

Ms McGovern: That was a slip.

The Vice-Chair: We have to move on to the official opposition. Mr Kwinter.

Mr Kwinter: Thank you very much for your presentation. Yesterday in the House I thought the Minister of Economic Development and Trade made a very strange statement. It was a motherhood kind of statement, but I still felt it was strange, and I responded that way. I'd like to get your reaction to it. He announced he's going to set up a consultation. He's got the member from Halton, who's going to meet with industry, the exporters and the high-tech companies to find out what they need to become more competitive.

I've sat on this committee for 10 years. I've listened to your presentations through the pre-budget hearings. We've had many, many presentations by boards of trade, industry associations. It would seem to me that you make your case: you indicate particularly tax relief, higher skilled labourers, access to markets, help in some of those things. Is there something you haven't told the government or that they haven't heard from you as to how you can become more competitive?

Mr Howcroft: I think there's still a lot we can learn to be more competitive. The productivity gap we're experiencing within Canada and the US—I think most of the experts or the studies I've seen have us 30% less competitive—less productive—than the US. It's something we have to work in partnership with to address and come up with some solutions. I know the federal government has acted on our suggestion to have an innovation summit to deal with productivity issues. We've been proposing to the Ontario government that we have to deal with these issues.

I think there are a lot of good things going on. There are a lot of successful companies out there. There are lot of others that could benefit from the success and learning of those other companies, and we have to come up with a more coordinated approach to try to educate particularly the SME areas, which aren't as productive as they need to be. A lot of our success and productivity advantage has been because of the 65-cent dollar. If it went to 75 cents, a lot of manufacturers, exporters and businesses in Canada and Ontario would find themselves in quite a difficult situation. What we want to do is help them become more productive so that if the dollar does rise, they would not have to experience difficulties.

Also, we think companies should be more productive. There are great opportunities out there, and we think we have a role we can play in working with this government and other governments across Canada. One of the issues we've been pushing is lean manufacturing and trying to help establish consortiums so that companies in local areas can get together and share best practices and become more productive by learning what others have done to achieve some success.

I think we've seen some improvements in productivity over the last 10 years, but we haven't seen the success other jurisdictions have had or that I think we're capable of. We look forward to helping move this issue forward in any way we can in dealing with the government of

Ontario, the government of Canada and my colleagues in the CME in other provincial jurisdictions.

The Vice-Chair: We'll move on to the third party. Mr Marchese.

Mr Marchese: Ian and Joanne, you were here in part for some of the discussion around the issue of tax credits for private schools. With a yes or no, do you support it?

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Mr Howcroft: Yes or no?

Mr Marchese: Unless you want to add more.

Mr Howcroft: We don't have a yes-or-no answer. We focused on the corporate tax rates, the capital tax rates.

Mr Marchese: I'm going to get to that.

Mr Howcroft: It's an issue we don't have a position on.

Mr Marchese: Do you have a personal view on this?

Mr Howcroft: I'm not here representing a personal view. I'm here—

Mr Marchese: I hear you. OK. Very good. You were concerned, Joanne, about the debt we have. Under this government, I think it went up \$20 billion or \$30 billion. But we've had a good economy and low interest rates. In your view, how did this debt go up so high?

Ms McGovern: It's taken a long time to get there. It's not a thing that's happened in the last few years.

Mr Marchese: So, in your view, the income tax cuts this government has made have not contributed to that in any way, have they?

Ms McGovern: No.

Mr Marchese: They haven't borrowed money to give a tax cut. They've been collecting these dollars for income tax cuts out of the great economy we've had. As a result, that hasn't impacted at all on the debt in any way, in your view?

Mr Howcroft: Our position is that we needed those tax reductions to help generate economic growth, which helped create hundreds of thousands of jobs that helped to employ people, which will now help to address the tax situation.

Mr Marchese: I hear you.

Ms McGovern: And that's where the money comes to pay down the debt. It's a direct relationship.

Mr Marchese: Forty million Americans have no health insurance. Forty million additional Americans have inadequate health insurance. This is one of the best economies in the world. They have the highest poverty rates in the industrialized world. How competitive do you want Canadians to be?

Mr Howcroft: We want Canadians to be as competitive as they can be, to be as prosperous as they can be, to continue to improve the standard of living we have here in Ontario. We think Ontario is one of the best places to live and work. That's why we're here, to a large extent; we want to help move that agenda forward.

Mr Marchese: I appreciate that, but American jurisdictions—

Ms McGovern: May I answer your question on how competitive you want us to be?

Mr Marchese: Given what I give you: the context of the American society in terms of poverty and health problems they've got and so on.

Ms McGovern: We want to be as competitive as we can be to stay competing in the global marketplace. We want to be able to compete equally with other jurisdictions, not just the US, not just within North America.

Mr Marchese: You're quite right. But usually people like yourselves always refer to the US rather than referring to Sweden and other Nordic countries and Germany and France. You usually compare us with the US.

Ms McGovern: We refer to both.

Mr Marchese: I do, and I agree—

The Vice-Chair: Thank you very much for your presentation. We appreciate your coming before the committee and your input.

DUNCAN GREEN

JOHN FRASER

The Vice-Chair: Our next presenter is Duncan Green. Would he please come forward?

Mr Duncan Green: Mr Chairman, I'm accompanied by Mr Fraser.

The Vice-Chair: Thank you very much. I just had the one name here, but the clerk was aware there was a second. Maybe you could both state your names for the sake of Hansard. You have 20 minutes. Whatever is left over will be divided among the three caucuses. You may proceed.

Mr Green: My name is Duncan Green. I'm a former director of education with the board of education in the city of Toronto.

It will help if I could ask you to look at the brief and turn to the third-last page. You're going to need it, because I'm not going to read it.

Mr John Fraser: I'm John Fraser. I was the director of education for the Peel district and, before that, the Kenora Board of Education.

Mr Spina: I haven't seen you in such a long time; I didn't recognize you.

Mr Green: It changes.

Interjections.

Mr Green: I want to thank the committee for hearing us, because we're not an organization, we're not a school, we're not a formal group in any fashion. This brief was shaped initially in my head, because at present I have four grandchildren in the public school system and I'm just a little distressed about the direction that is occurring there—more than a little, I may say. Their mother is even more distressed, and is on the parent council for the city of Toronto.

The key part of our brief is the last three pages, if you will look at them. There are 23 names there. They've grown like Topsy in a week and a half. My computer skills have been severely tested in terms of sending out e-mails with attachments, some of which arrived and some did not. They've been equally severely tested in receiving

the same, and my editorial skills have been tested by the participation of about 20 chiefs and no Indians.

But there are 23 people on there who subscribe to what we say. Most of them are former directors of education with boards of education. Three of them are former deputy ministers of education. Two of them are former community college presidents. One of them is a former chair of the Council of Regents for the colleges of applied arts and technology. One of those college presidents was the chairman of the planning and implementation commission that implemented funding to the separate schools, and Mr Fraser was a member of that commission as well.

I stress that not in terms of boastfulness but simply to indicate that this collective group has had a lot of experience wrestling with exactly the problems that are emerging as a result of this initiative. They speak, in this instance, most uniquely with one voice. I would never have thought that would occur. Some of them are from a more distant past than others, but all have had similar experiences.

In going through the brief, if you wouldn't mind going back to page 1, I'm just going to highlight the main points, because I'm sure we're not making any new arguments distinct from those you already have heard. But we do represent a background that is different from most of the people who may have made those arguments, and we felt that might be of value to the committee.

The first thing I'd like to emphasize is the third paragraph: we would add our support to those individuals who urge the government not to offer tax credits to those who choose to send their children to private or independent schools.

A lot of this rhetoric is good rhetoric and good prose, but in the interest of time I'll move through. You can read it at leisure later, before you go to bed.

Mr Marchese: It may not happen. They may not read it.

Mr Green: I don't believe that, sir.

The fifth paragraph says, "The result of our experience has been to confirm our view that a single publicly funded education system is the most desirable and accountable way of providing education." We recognize there is a major stumbling block to that. We can't help saying that two other provinces have wrestled with similar stumbling blocks and emerged with a different solution from the one that was designed when they entered Confederation, even though they entered it about a century apart. We think the present tax proposal leads us in the opposite direction, and we oppose it for five reasons:

First, it will encourage more parents to seek education for their children outside the public system. We don't know of a tax credit that is implemented to discourage behaviour or activity. As we know, tax credits are instituted to encourage behaviour or activity. We consequently would expect an increase in the number of people who opt for a different choice than the public system.

Second, the result of that, in our view, if they get a tax credit, will be to reduce the total annual tax revenues of the province, and consequently the resources available to fund, among other things, the public school system. This will exacerbate the current financial problems being encountered by school boards.

Third, the tax credit will not provide for equitable treatment, since it will only be available to those who already can consider the cost of private education. You'll notice I'm not saying "only to the wealthy." I am saying they've got enough income to live and to provide for another set of fees for a choice they are making.

There are people who might want to make that choice who can't even think about it. The tax credit is not going to provide the extent of freedom of choice you might think. As a result, we feel it advantages and benefits those who are well off or reasonably well off, at the expense of others who aren't well off.

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Fourth, it will subsidize educational institutions that are minimally supervised and regulated by the province. If you look at the establishing of private schools now, I think it is more difficult to get a busker's licence to perform in the subways of the city than it is to establish a private elementary school. What's more, the busker will be more carefully monitored and supervised than will the private school, particularly given the decline in the number of supervisory people both in the ministry and in the boards. In the Netherlands, where there is a much different construct—the government may want to look at that, and there are other constructs it may want to look at—the rules are quoted. They're on their Web site: this is what you have to do if you're going to get funding from the government. At present, a lot of independent schools would have trouble living with that. I'm being careful not to condemn them, not to say they run bad programs. I'm just saying we don't know.

Finally—this is our most important point, and I know it has been hammered at you time and time again—it will lead to an increased ghettoization in society and a lack of understanding of different points of view. The public school system is the only public institution in which individuals and communities have to come face to face with the differences in attitude, background and beliefs between themselves and others. It must encourage a mutual respect and understanding of different races, traditions, practices and beliefs in its students so that they will learn to live with one another in peace. Nobody else does that. The nearest you can come to it is the subway, and that's a very ephemeral experience.

All of us have spent our careers in the last half of the 20th century, and without minimizing the others, that proposed a dramatic change in population, particularly in this province. Of the immigrants to this country over that period of time, half came to Ontario. Of that number, half settled in the greater Toronto area. The others tended to settle in the other large cities of the province: Windsor, Ottawa, Hamilton and so on. In greater Toronto now, English is not the language spoken in over half the

homes. Languages we had never even heard of or heard of in the 1970s, like Tagalog, Urdu, Hindi and Farsi, are spoken by sizable populations. Similar changes have affected other parts of the province. With them have come a variety of religions, and there are now mosques and temples in addition to the traditional churches and synagogues as locales and locations for their worshipping populations, and they are focal points for these new immigrants.

Throughout this period, it has been the public school system—and the public school system alone—that has tried, with considerable success, to accommodate all these diversities by developing a number of strategies to encourage people to live peacefully with one another's differences. They've really worked hard at it. Our blunt fear is that not immediately but a number of years from now, when it likely won't matter to us personally, the proposed measures will produce, in the fairly near future, an increase in racism and religious intolerance. It won't come about because people are fomenting that; it'll come about because of ignorance and fear of the unknown. Reared in the homogeneous cocoon of special-interest schools, loosely monitored, many students will never have had to face neighbours who speak a different language or practise a different religion from themselves. They won't experience what I did with my younger daughter, who came home at one time dating a fellow and said, "Do you know what? He really doesn't know anything about Easter." He was Muslim. That came as a great shock to her. But the accommodation was made. Much of our stereotyping emerges from those cocoon existences. I think our much-admired experiment with multiculturalism—we brag about being the best country in the world to live in—is in real hazard.

We'd also say, by the way, that there's a big difference between theoretical choice and real choice. There will be considerable choice in the densely populated areas of the province; there will be a lot less choice in Kenora or the area surrounding Kenora.

We urge you not to follow this path. If you do want to diversify the publicly funded education system in a different fashion, it might be wiser to study it a little more solidly than has been done in the preparation for this rather hastily, we think, and ill-conceived motion. As one of my colleagues said when he phoned me, "Is this the beginning of the slippery slope?"

You might want to look at the Shapiro report, at the Keiller Mackay report, at the reports of studies that have been done in the Netherlands and in other provinces in Canada, and then have serious public hearings about whether that's a route you want to go. We think this precipitous action was not included in the mandate this government was given either in the most recent election or the one before. The people of Ontario have never had the opportunity to vote for or against this specific proposal, and it seems to us a very undemocratic sort of approach. We urge you to avoid introducing controversial changes that can only negatively impact the system of public education without offering an alter-

native long-term design that has been arrived at as the result of informed public discussion.

I'd add one other thing. I don't know whether someone may already have drawn it to your attention, but as I understand it from the New York Times this morning, yesterday the US Senate defeated a Bush administration initiative that would have provided tuition tax credits in 10 of the largest cities of the US. I have only that much information, it's that sketchy, but that occurred yesterday and is reported this morning.

The Chair: Thank you very much. We have approximately two minutes per caucus and I'll start with the official opposition.

Mr Phillips: Thank you. That's an extremely impressive group of people—

Mr Green: Well, we were.

Mr Phillips: Still are, extremely, and true leaders in public education in Ontario who made a huge contribution. You're familiar, I think, with the United Nations brief that the government submitted two years ago arguing strenuously against this.

Just looking ahead, the government recently produced its population forecast, which said that in the next 10 years well over 80% of our population growth in Ontario will come through immigration. Over a million people, at least, will come to Ontario in the next 10 years, so we will continue to need a system that welcomes those young people and accommodates them. We're accused, those of us who oppose this, of being alarmist: "You're just making a big deal about nothing." I happen to believe the opposite. How do you respond to those who say, "This is just a minor move and is nothing more than a little move to accommodate a small group of people"?

Mr Green: I think the people I've been in touch with do feel that this is not an alarmist expectation but a practical expectation. If you look at the countries that have themselves off from others and stick to an ideological base, they are the ones that have much difficulty in integrating. The big extreme of course would be Afghanistan with the Taliban at the moment, who operate from a very narrow framework of interpretation. That comes about because they don't see any other people, and the ones they do see they want to make sure are identifiable and in a separate spot, though I notice they're backing off from that a little bit—or may back off. I think that's true of us in stereotyping Muslims. Our media have a tendency to stereotype Muslims. We class them all in the same boat. It's the fundamentalist group that gets the attention and applies the label to the rest.

I can't stress strongly enough the interaction of people. One thing that changed my view on the Lord's Prayer in the schools was teaching at North Toronto Collegiate and having to say that prayer every morning to a home form three quarters of whom did not anticipate in that prayer because they were Jewish. I thought, "Just a minute. There's something wrong here." When I was director, our city produced a book of religious readings and prayers that I thought was a really significant achievement, and it was arrived at by bringing together

all of the disparate groups that forced us. We produced this book and we went to the then Premier of the province and said, "What we'd like to do is use this for opening exercise and have a minute's silence after," and we got a no on the minute's silence. He wasn't ready to go that far at that time.

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Mr Marchese: I thank you both and all the other eminent people who are listed at the back who are in disagreement with this government with respect to the tax credits.

Two quick questions, if I can: the first is that we believe the tax credits will encourage people to leave the system. You believe it; we believe it. They are simply saying, "It won't happen. Other evidence in Canada shows it won't happen."

Mr Green: If somebody can point out why a tax credit is introduced as a neutral thing or as a discouraging measure, I don't know of any. It's only used to encourage things to happen.

Mr Marchese: I agree with you. It's designed to encourage, not discourage that kind of activity.

I've been also curious about this government's position on a number of things. First of all they got rid of employment equity, they got rid of the anti-racist secretariat, they got rid of the ESL programs that came out of citizenship, they got rid of the Welcome Houses, the heritage language programs are disappearing in the Toronto board because they don't have any money to keep these programs up. All of a sudden they've redefined multiculturalism and said, "People want to have their own education in their own language and their own religion."

It puzzles me that they've done so many things that discourage the kinds of things that you've been speaking of, the kinds of things that I support, and now all of a sudden they're saying, "It is all right to give people a choice and to send them to different religious schools or to other private schools."

I find that very complicated for society. I think you spoke to that. I'm not quite sure whether you wanted to add any more to it?

Mr Green: I think our point would be that this is a very narrow context in which to have that debate. A pure tax credit measure ignores a lot of the major factors that should be being discussed, with that as a part of the context, rather than that being the context.

Mr Marchese: You were quite right. Thank you.

Mr O'Toole: Thank you, Mr Green and Mr Fraser. It's a pleasure to see you. Just one observation: there were no separate school directors that were willing to sign. I just noticed the list here.

Mr Green: None of them phone me, and I didn't phone them.

Mr O'Toole: I know that this has been an issue. I know Mr Fraser was involved, as you mentioned. I was a trustee from 1980 to 1982, in that period when the whole—they never actually swallowed the pill. It's unfortunate.

I just think that you've described society, as I see it, as rich and diverse. I think society in Canada is a mosaic, and as a mosaic it has different parts, different colours. It's not a melting pot and it's not "just us," as in "justice." That's what the people have been crying for for years. We've been part of a debate, and to say it hasn't— from the Shapiro commission onward, including the Royal Commission on Learning—it's been a debate. There has been a raging debate, and if your directors of education—formidable, eminent people—and you are to stand here and tell me that there has been no debate, you haven't been listening. It's that simple.

That is my little outburst, because I'm offended by the fact that you have told us that the actual majority language in Toronto in less than 10 years won't be English.

Mr Green: That's right.

Mr O'Toole: So that's a recognition of diversity. Allow them to blossom. Allow them to bear fruit. Allow them to celebrate. Can't you see that that's what this is about? It's an opportunity for people to make choices.

Mr Fraser: No, I don't see that it's about that at all.

Mr O'Toole: You don't?

Mr Fraser: That diversity has been celebrated and amplified in the public school system all along.

Mr O'Toole: It's been taught.

Mr Fraser: It has not been. It has not been smothered. It has been enhanced. Anything that splits our society is what we see is wrong.

Mr O'Toole: It's been managed.

Mr Fraser: It's the public school system that brings us together, that is the foundation of our society, that provides the mutual set of experiences that allows us to grow in respect and tolerance. That's where we see it.

Mr O'Toole: One point—page number one—that's what you wanted, one system. That's what you wanted in 1980; that's what you still want. One system.

The Chair: Mr O'Toole, are you done with your—you posed a question.

Mr Phillips: You should be listening.

Mr O'Toole: I am listening.

The Chair: Go ahead, finish your—

Mr Green: One publicly funded system.

Mr Fraser: There's been discussion about education ad nauseam forever. We're not suggesting there hasn't been discussion and debate about all of these issues. There has not been a specific discussion about extending funding to the private and independent schools in this province through any kind of tax structure. That debate has not happened. The government has announced that this is what you're intending to do. The public school system is under tremendous stress—

The Chair: With that we've run out of time. On behalf of the committee, thank you very much for your presentation this afternoon.

MARY MOTHER OF GOD SCHOOL

The Chair: Or next presentation this afternoon is from Mary Mother of God School. I would like to invite the presenter or presenters to come forward and state your name for the record. On behalf of the committee, welcome. You have two minutes, and I warn you that there may be a bell for a vote, so we may have to come back after.

Mr David Brown: Fair enough.

The Chair: So we may have to break your presentation.

Mr Brown: Mr Chair, thank you very much for allowing me to come. My name is David Brown. I'm a lawyer here in Toronto, which I hope you won't hold against me. One of the things I do by way of charitable activities is I am the chair of the board of directors of a small independent school called Mary Mother of God School. It's in Parkdale.

Two weeks ago I went to a meeting at the Keele Community Centre. The local MPP for the Parkdale area very kindly held a public forum into this credit, and the Leader of the Opposition was there. I was quite struck by the polarized views, if you could call it that, that this credit seemed to be generating. At that meeting I simply tried to describe one school in the riding, and essentially that's what I'd like to try and do today.

The parents of the school and the school itself support the tax credit. I'd like to explain to you why, because we're very concerned that a lot of the spin that has been put on in the media for this credit is that it portrays the credit as only benefiting the rich or the well-to-do, and that those in lower-income families will get no benefit from it.

Mary Mother of God School is located in one of the poorer areas of Toronto, the Parkdale area. If you saw the Toronto Star this past weekend, it had that United Way map and the big U where the lower-income families were. Well, Mary Mother of God is right in the middle of that U. Most of the parents who send their kids to the school would fall within the lower-middle-class or lower-income categories of families. However, the tax credit will benefit their school and the school's position is simply that the tax credit is a modest but welcome step in the right direction to getting some support to middle- and lower-class families who make the decision to send their kids to independent schools.

Let me provide you with a few details on the school itself. It's an independent school. It's Catholic in its nature. It's elementary; it offers a junior kindergarten to grade 8 program. It has just completed its eighth year of operation. It started off eight years ago in a church basement with fewer than 10 students. It's still in a church basement, but in a different church, but now has approximately 90 students. This coming year we will have seven full-time teachers, most of whom are certified—one of them who isn't has a PhD—and we'll also have four part-time teachers.

I'd like to focus a bit on the finances of the school to give you a fairly concrete indication of why this tax credit will help a school such as Mary Mother of God. Last Tuesday we had our annual parents' meeting and we unveiled our proposed budget for the 2001-02 school year. Our school budget for the next year will be \$277,000. Of that, \$250,000 goes to pay staff and teachers. Our cost per full-time pupil will be \$3,700, so that gives you a benchmark of what it costs us to provide education. We don't charge tuition as such. We ask parents to contribute whatever they can toward that per pupil cost according to the circumstances of their family, and of course you've got a number of parents who send several kids, up to four kids, to the school, and the thought of spending close to \$15,000 is simply beyond their thought.

What it results in is that about 20% of the parents who send their kids to the school can actually pay the full per pupil cost. Most others pay a portion of it. We have some who pay none. But the policy of the school is that we do not turn anyone away.

In terms of our operating expenses, therefore, only about 55% of our operating expenses are covered by parental contributions, which raises the question of how the school survives. It really survives on two things: sacrifice and charity. Everyone involved in the school sacrifices. The starting salary for our teachers is \$25,000 and the highest salary for our teachers next year will be \$28,500, which is a far cry from the public or the separate school grid. To put it mildly, the teachers sacrifice greatly to have the opportunity to teach at the school. Parents sacrifice as well. They put the cost of sending their kid to school at the top of the family agenda in terms of their spending priorities. They forgo some of the nicer amenities in life to ensure that they get for their children the kind of education which they as parents consider to be the education appropriate for their kids.

The school is also supported by a very large network of benefactors who last year contributed about 45% of the costs of the school, and of them only three were big benefactors; most of our contributions are \$25 or \$50 contributions that come from people in the larger school community who support the efforts of the school. We have also received tremendous support from the United Church in which we're currently located. The rent they charge is dirt cheap, and without their generosity in that regard we couldn't survive.

So from a financial point of view the school has really survived since its inception on a hand-to-mouth basis. It's going to continue to do so. This tax credit won't change that. But what the tax credit will do is provide a school that lives on a hand-to-mouth basis with some fiscal relief, as indirect as it may be, and that will make a bit of difference to the school.

I hear the bells.

The Chair: I think we probably only have five minutes. It's only a five-minute bell, so we'll take a break and come right back after the vote. It will probably

be less than 10 minutes. Sorry for the inconvenience. So we'll recess until the vote.

The committee recessed from 1750 to 1806.

The Chair: I'll call the committee to order. We have approximately 14 minutes left for the presentation. Sorry for the interruption.

Mr Brown: No problem. Business comes first.

I've reviewed the finances of the school, and what I'd like to do now is address the issue of what difference the tax credit will make to a school such as Mary Mother of God.

The bottom line is that it will reduce but far from eliminate the burden of the so-called double taxation that parents at Mary Mother of God bear. Let me give you a concrete illustration of the effect it will have. Assuming the school's per pupil cost remains constant over the next five years and that parents continue to give at the current level of donations, I estimate that in the first year of the tax credit the parent body will receive aggregate tax credits in the amount of \$7,700, or 3% of the school's budget. By year five, I estimate that the tax credits would total \$40,700, or 15% of the school's budget.

Assuming that the parents turn over to the school the money they get by way of a tax credit, then this amount, as modest as those numbers may seem, will have a definite impact on the school's finances. Let's take the first year of the tax credit, \$7,700. Over the course of the last year, the school has held three fundraising events and something called Christian Education in the Arts. We've had two choral concerts and we've had one speech by an author. Those raised slightly over \$6,000. So you can see that the tax credit in the first year will represent an amount of money that it took parents three different fundraising activities to raise. In the fifth year, the \$40,700 represents twice the amount of monies that parents have been able to raise in each of the last two years. So for a school such as Mary Mother of God, that's quite a material impact on the ability of the school to raise more money and perhaps get us out of the circumstance where we are simply living from hand to mouth.

Why should the tax credit in Bill 45 be supported by you? I gather this is a fairly political thing, so perhaps these reasons will fall on mixed ears, but I think there are four reasons.

The first reason, I would suggest, is fairness. Parents who send their kids to independent schools make two payments for education: the amounts they pay in tax and the amounts they pay in tuition for their children. I would suggest that simple fairness suggests reducing the burden of this double payment to a certain extent. Further, the tax credit doesn't pump public money into private schools, as has been suggested. It simply allows some taxpayers to keep a bit more of their own money in their pockets, which they in turn can send over to the school of their choice.

Secondly, this tax break is available to all taxpayers. Some have suggested that the rich will benefit more than the less well-to-do. That's true to a degree, given that it is

a tax credit. But I've tried to demonstrate that for a school at the lower end of the food chain, so to speak, in terms of finances, there will be a favourable material impact on the school. There is a way to ensure more equal access to the opportunity to send children to independent schools by lower-income families. That's called a voucher, but that seems to be a word that one cannot use in this province, and I suspect that hell will freeze over before any politician in this province seriously considers vouchers.

So, quite frankly, unless there are other proposals on how to get more money into the hands of lower-income families, then the tax credit is the only game in town and it will provide some benefit, although not a perfect benefit. In the name of saying that there may be a better way, I would submit that you simply don't throw out the only thing that's being proposed.

The third reason to support the tax credit is that by defeating the credit, one is not going to dampen the growth of independent schools in this province. The reasons parents send their kids to independent schools are very strongly held reasons. They deal with matters of pedagogy or in other cases matters of conscience or faith, and defeating the tax credit won't change that simple fact.

The fourth reason why I suggest you should support the tax credit is that by passing the tax credit you won't deal the public system a fatal body blow, which some have suggested would happen. I was at a community meeting sponsored by Mr Kennedy two weeks ago. He very kindly sponsored one at the Keele community centre, and I gave a little talk about the school. But I was also struck by the concerns that were voiced by parents who send their kids to public schools. They have some very serious concerns about what's going on in the public school system. I sympathize with their concerns; they have every reason to be concerned about what's going on in the public school system, as the public school system is in an utter mess and the roots of that mess go back a good 25 years. It's nothing new. To be completely apolitical, there's not a political party in this province that hasn't contributed to that mess in one way or another. It was sort of an equal-opportunity-created mess, but it is a mess. The causes of this problem go very deep, and my own view is that the problems have very little to do with money, notwithstanding that's on the top of people's agenda.

The experience in other provinces has shown that if you give some direct funding to independent schools you will have some movement to private schools, and that's going to happen as a result of the passing of this tax credit. I think people have to recognize that that will happen. But what's the magnitude of the change? I think the best example is out in British Columbia, where in the mid-1970s they introduced up to 50% funding to independent schools. The numbers show that the student population in independent schools grew from about 3% to 7% or 8%. In the provinces where there is funding for independent schools, 90% of the parents still send their

kids to the public school system because they like their public school system. Passing this tax credit, in my view, isn't going to see anything different in Ontario.

However, I feel very strongly that you shouldn't try to solve public school problems by holding parents captive in the public school system. Right now, the more well-to-do parents can vote with their feet. If they don't like what's going on in the public school system, they can yank their kids out, and a lot do. The tax credit will make it easier for the less well-to-do families to vote with their feet as well. By defeating the tax credit, you simply hold the less well-to-do captive to the public school system, and I don't think that's a fair result.

The question I think the politicians have to address is, how do you prevent parents from voting with their feet? The way you do that is by finding out why they're leaving the public school system and trying to address their concerns. Until you address the reasons why parents don't want to send their kids to public schools, then in my respectful view, you're not going to address the root problems in the public schools.

By way of summary, all I'm trying to say is that by passing the tax credit I don't think you would deal a death blow to the public schools, and by defeating the tax credit you're not going to solve the problems that public school systems face. I would ask you to deal with the tax credit on its merits, quite apart from what's going on in the public school system. I would submit the tax credit is simply a modest proposal to give some parents a fair shake, and it's nothing more than that.

I appreciate the opportunity to come here on behalf of the school and make those submissions.

The Chair: Thank you very much. We have two minutes per caucus, and I'll start with Mr Marchese.

Mr Marchese: Mr Brown, you said the public system is in a mess. Specifically what mess are we talking about?

Mr Brown: Oh, you've got all sorts of messes. Why do you teach kids and what are you teaching them? These days, you seem to be teaching them to do a job properly. You're supposed to be teaching kids to impart to them, in my view, a body of knowledge and to form them, to form them into good, responsible citizens who care about their fellow citizens.

Mr Marchese: And the public system is not doing that?

Mr Brown: No, it's not doing that.

Mr Marchese: So we should scrap the whole public system and create little private schools.

Mr Brown: No, quite the contrary. The public school system is the most important school system in this province. My point is that you have to address what I perceive to be the real ills of the public school system so you can remedy them and strengthen it.

Mr Marchese: Right, and you were saying they're not teaching young people to be responsible citizens and—

Mr Brown: The academic standards are the pits. They aren't teaching kids to be responsible citizens. You've got a level of violence in the school that you don't have

in independent schools. As much as I respect Mr Green, to talk about the public school systems imparting the notion that we should all live together in peace—the violence in the school system isn't in the independent schools.

Mr Marchese: So the answer, Mr Brown, is?

Mr Brown: The answer is that you've got to have smaller schools. The schools have to be returned to the communities. Everyone involved in the system has to sacrifice, and they have to sacrifice by putting the students' interests first and no particular special interest groups—

Mr Marchese: So you want your choice to have a small school where the ratio is probably much smaller—what's your ratio in your school?

Mr Brown: Ten students in a class.

Mr Marchese: Beautiful. Who wouldn't want that?

Interjection.

Mr Marchese: Mr O'Toole agrees with you. He says, "Exactly." He doesn't mind having high class ratios in the public school system, but he doesn't mind giving you a ratio of 1:10. Isn't that beautiful?

Mr Brown: Those are systems which you as the representatives of the people in this province are going to have to tackle, and I would urge you to tackle them, because the public school system does have to be fixed.

I would also urge you to look at the independent school system as perhaps offering some suggestions as to best practices. When I was at the meeting with Mr McGuinty and Mr Kennedy, Mr McGuinty's idea of beacon schools or lighthouse schools, I think he calls them, is a very good idea. But if one wants to spread the word about best practices within the province, get some independent schools in there. They also have some pretty good practices that help out their students.

Mr Hardeman: Thank you very much for your presentation, sir. I just want to carry on a little. We've heard a lot of discussion about the students who go to independent schools and their ability to pay for it and so forth. The suggestion is that everything available in the independent school is available in our public system and that there doesn't seem to be a need to give parents a choice for the education of their children. The things that everybody keeps telling us are the reasons children are going to independent schools are small class sizes, better facilities. I found it strange that that's not what it appears from your presentation. You have a school in a church basement. The total expenditure per student is \$3,700. It wouldn't be for those things that parents would want to send their children to that school. Could you tell me why it is you believe that parents send the children to your school and why they make that choice, sacrificing more than they really should have to for that education?

Mr Brown: I think the parents look beyond the physical facilities. The physical facilities are not the number one priority. What is the priority is that you will be in a small-class environment where your child will be known to everyone within the school and be known to the teacher, will get more direct attention from the

teacher, will be taught to the highest possible academic standards, although we have a number of kids in the school who have learning difficulties. There is an atmosphere of mutual support and respect fostered within the school, which is a very important part. There's also a religious dimension. It may seem odd to some that there's a private school which is Catholic, given that there is a funded Catholic school system, but a lot of the parents who send their kids to the school are of the view that certain issues of morals should be dealt with in the family and not in the schools and very strongly oppose the sex education programs that are in both the public and publicly funded Catholic schools. I mean, that's not the reason, but that's one of the things that goes into the hopper.

I think at the end of the day, it's the sense of community. You know everyone in the school. Everyone has to sacrifice for a purpose and will be better for doing so. I think that's the underlying commitment and mindset of the parents who send their kids to that school.

Mr Gerard Kennedy (Parkdale-High Park): Thank you, Mr Brown, for coming out and thank you for your obvious interest in helping this debate. This is the second meeting we've both attended, and I'm glad you were able to come in today.

I've visited, as you know, your school. You've probably imparted already—I was watching before I came in—that there's a lot of commitment that goes into your particular school, and it's impressive. But in order for us to understand how public policy would warrant public dollars going to your school—there are a number of things you've said that are a little bit of a contradiction. You've already articulated that you don't have religious claim to those funds because the Catholic faith has already got a school system funded here in this province, so it's more about the question of school choice.

I just want to put to you, if there were small groups of parents able to run schools like Mary Mother of God everywhere in the province, that may be a preferred way of doing it, but that's not reality in this province. I'm just wondering how you can reconcile for us what really amounts to a preferred education for those kids whose parents have withdrawn them from the other system and are willing to spend a disproportionate amount of their time, but somewhere else in the public system is missing

some of that commitment, is missing some of that drive, is missing some of that desire for their children in the two publicly funded systems we have. Doesn't that set up a bit of a contradiction, that people who want to care about the state of education walk away? If this policy would allow any set of parents to walk away from making public education better, quite apart from the dollar arguments and so on, we'd miss then the commitment of parents—who will find it slightly easier because they'll group with like-minded parents, the way you have—and we would not have that essential force.

You've articulated a vision—smaller schools, more community control and some way of ameliorating the interests and focusing on the student—which is exactly what we've proposed in our Excellence for All public school proposal. But without parents like yourself it can't get done, because it needs people to be committed. I'm just wondering, what would it take to bring you back in?

Mr Brown: I can't speak for all the parents at the school—

Mr Marchese: The beacon school idea.

Mr Brown: No, the beacon school is only part of it. What you have to do—and our school is not atypical. Most of the independent schools in this province are small, and a lot of them have parents who have strong influence. That may well be the key. Parents are ferociously committed to securing the best education they can for their children. They have to have the means to influence what goes on in the classroom down the street where their kids go. Therefore, my own personal view is that structurally one has to create a system where parents know they can have an influence at the local school. There are different mechanisms to do that, but right now you have a monolithic system which is somewhat impersonal. You have to get back to almost the little old schoolhouse kind of mentality, in the sense that it's a community school and people know what's going on in the school and they're committed to working in the school. I think that's the first step.

The Chair: On behalf of the committee, thank you very much for your presentation this afternoon.

Mr Brown: Thank you very much, Mr Chair and members of the committee.

The Chair: This committee is adjourned until 9 o'clock tomorrow morning.

The committee adjourned at 1822.

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Deuxième session, 37^e législature

Official Report of Debates (Hansard)

Thursday 14 June 2001

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Jeudi 14 juin 2001

Standing committee on finance and economic affairs

Responsible Choices for Growth
and Accountability Act
(2001 Budget), 2001

Comité permanent des finances et des affaires économiques

Loi de 2001
sur des choix réfléchis
favorisant la croissance
et la responsabilisation
(budget de 2001)

Chair: Marcel Beaubien
Clerk: Susan Sourial

Président : Marcel Beaubien
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LEGISLATIVE ASSEMBLY OF ONTARIO

STANDING COMMITTEE ON
FINANCE AND ECONOMIC AFFAIRS

Thursday 14 June 2001

*The committee met at 0900 in room 151.*RESPONSIBLE CHOICES FOR GROWTH
AND ACCOUNTABILITY ACT
(2001 BUDGET), 2001LOI DE 2001
SUR DES CHOIX RÉFLÉCHIS
FAVORISANT LA CROISSANCE
ET LA RESPONSABILISATION
(BUDGET DE 2001)

Consideration of Bill 45, An Act to implement measures contained in the 2001 Budget and to amend various statutes / Projet de loi 45, Loi mettant en oeuvre des mesures mentionnées dans le budget de 2001 et modifiant diverses lois.

The Chair (Mr Marcel Beaubien): If I could get your attention, please, good morning everyone. It's 9 o'clock. I'd like to bring the committee to order.

Mr Gerry Phillips (Scarborough-Agincourt): Are we underway now?

The Chair: Yes.

Mr Phillips: Just before we begin—

The Chair: Just a minute. Mr Marchese has a point.

Mr Rosario Marchese (Trinity-Spadina): Mr Chair, with your indulgence, I have about seven pages of names of people who want to get on the list. For the record, if you would allow me your indulgence, Mr Chair, I'd like to read the names of the people who would like to come to make a deputation: Becca Ansley, Paola Ardiles, Richard Bartley, Luz Bascunan, Lois Bedard, Jordan Berger, S. Birnie, Allan Borodin, Patricia Bregman, Brad Brown, Cathy Brown, Lester Brown, Tim Burns, Michael Butler, Ian Cameron, Jim Challis, William Clark, Ruth Cohen, Elizabeth Cook, Daryl Currielle, Janet Davis, Dan Delong, Francine Dick, Debbie Douglas, Merv Edwards, Tarek Fatah, Anne Fitzpatrick, John Friesen, Lela Gary, Adam Giambrone, Jennifer Gillion, Avvu Go, Jeremy Hannay, Karen Harrison, Rob Hawks, Sheila Hazell, Sheri Hebdon, Monica Heikle, Steve Heikle, Alan Herman, Janet Hethrington, Cathy Holliday, Saeed Hydaralli, Louise James, Julie Jerred, Barbara Johnston, C.K. Kalevar, Howard Kaplan, Don Kendal, Harry Kopyto, Olga Kremko, Chie Kuno, Stephen Laing, Jason Law, Micheline Leering-Smith, Voltaire de Leon, Dan Lovell, Joanne Lyne, Lorraine Mackenzie-Butler, Ali Mallah,

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

COMITÉ PERMANENT DES FINANCES
ET DES AFFAIRES ÉCONOMIQUES

Jeudi 14 juin 2001

C.O. Martin, Fred Mayor, Gordon McClure, June Mewhort, Del Milbrandt, Nacia Miller, Farrah Miranda, James Mitchell, Larry Miyata, Michelle Munroe, Tricia Neub, David Orenstein, Ian Orenstein, Bonnie Penfound, Ellen Peters, William Phillips, Stavros Preketes, Sam Pupo, Ken Putman, Amanda Quance, Summer Renault-Steele, Ben Romanin, Kavli Roopchan, Wayne Samuelson, Anthony Schein, Russell Schick, George Sefa-Dei, B. Shek, Jean A. Shek, Pete Simpson, Hazara Singh, Cathy Smith, Maria A. Smith, Kirk Sprague, Sharon Stavroff, Dale A. Stewart, Marit Stiles, Simon Strelchik, Javeed Sukhera, Linda Sutherland, Chin Tea, Xiao Ming Tea, Kaliopi Tsimidis, John Wang, Robert Wardlaw, Lancelyn Watters, Barry Weisleder, Sydney White, Herb Wiseman, Vinka Woldarsky, Cheuk-Kwong Wong, Ken Wood, Sharon Worsley, Kim Wright, Cathy Brown, Amy Elkhairi, Martha Friendly, Nadia Lambek, Fiona Nelson, Gary Ng, Mike Seaward and Colin Winter-Horstone.

Chair, these are the people who have asked to come and speak in front of this committee. These are the people who have asked us—

The Chair: Mr Marchese—

Mr Marchese: I move a motion that these people get an opportunity to—

The Chair: Mr Marchese, you know what the rules are. In the list we have in front of us today, 10:20 and 11 o'clock are two spots that were supposed to be taken by the NDP, and it says, "To be confirmed." We don't have anyone listed on that, so I would strongly suggest that of all the names you've listed that you choose two of these people to fill these two spots.

Mr Marchese: Mr Chair, I appreciate that point, but there is a motion in front of you and hopefully out of that list I've read—and the clerk has tried, obviously, to call the contacts. Some on the list we have given her were not reachable; some couldn't make it. There are people here this morning on this list I've read who obviously could be included on that list. I appreciate that.

The Chair: I'll take your motion if I can get unanimous consent, but you know the rules. I need to have unanimous consent in order to change that.

Mr Peter Kormos (Niagara Centre): Agreed.

The Chair: Mr Kormos, you know the rules. You can—

Mr Kormos: I do know the rules.

The Chair: You can play to the cameras all you want. But you know the rules. You've been here a long time, sir.

Mr Kormos: Yes, and the rules are that a motion on the floor should be put to a vote.

The Chair: Mr Marchese has moved a motion—

Mr Kormos: Recorded vote.

Ayes

Kwinter, Marchese, Phillips.

Nays

Hardeman, O'Toole, Spina, Stewart.

Interruption.

The Chair: Order, please. This is a recess for half an hour.

The committee recessed from 0906 to 0935.

The Chair: If I could get everyone's attention, I'd like to bring the committee back to order.

Mr Phillips: Before we begin, we got from the government the 80-page research brief on why they didn't want to go ahead with funding. I want to make sure that we are going to get from the government the things we requested the other day: the backup documentation on the \$300 million—how that was arrived at—and the research they've done that led them to change their mind. I wonder if we've heard back from the minister yet on that. If we haven't, I'd move that the committee send a letter to the minister indicating we'll be dealing with this clause-by-clause on Wednesday and we need the information.

The Chair: OK, Mr Phillips. I think that's a reasonable request. I'm informed by the researcher that we have not heard from the ministry. We'll draft a letter, and it will go out today.

Mr Phillips: Thank you.

The Chair: You've got my commitment on that.

First of all, before we proceed, with regard to procedures, I think I always try to be fair and reasonable. I think my record will show that. I know that whenever you're discussing any issue there are two sides—and maybe sometimes more than two sides, but we'll say two sides today. I know emotions can get high at times. However, I think everyone is entitled to a fair hearing. Some people have made a commitment to come and make a presentation in front of the committee. We have to make sure that these people have the opportunity to make their presentation in front of the committee. So I would ask everyone to please give us some co-operation so that we can continue in an orderly, responsible manner with the proceedings.

ACCENTURE INC

The Chair: With that, I will go to the first presenter this morning, who is a representative from Accenture Inc. I ask the presenter to come forward and state your name

for the record, please. On behalf of the committee, welcome. You have 20 minutes for your presentation.

Mr Paul Brown: Good morning, Mr Chair, members of the committee, thank you for inviting Accenture to address the committee today. My name is Paul Brown.

By way of introduction, Accenture is a consulting and technology company operating in 46 countries with over 75,000 employees, 1,400 of whom work in Canada, the majority living and working here in Ontario.

As a global leader at the frontier of the new economy helping to bring innovations to improve the way the world works and lives, we're proud to be part of Ontario's strong economy.

Let me start by congratulating the government for its role in introducing positive economic measures to Ontario during the past six years. By aggressively cutting red tape for businesses, implementing a sound tax policy and tackling our province's deficit and debt, the government has contributed to a sound business climate. Accenture believes that Ontario is a good place to do business.

I might at this point, before getting into specific issues of interest to our company, point out Accenture's support for the new Ontario Institute for Technology announced in the budget. As a new economy company, Accenture is well aware of the need to harness the tremendous technological innovations and skills in the province. We must provide our young people and workers who seek retraining opportunities in the growing high-tech field. The new institute will certainly assist in ensuring that the students of today are prepared for the jobs of the future, and the government should be congratulated for its foresight in this area.

There is no doubt that the new digital economy provides the government of Ontario with an opportunity to encourage economic growth and manage the cost of government. The Internet provides the new channel for delivering government services effectively and at reduced costs. But essential to achieving these efficiencies is the requirement for citizens and businesses to move from traditional channels of service delivery—such as the counter at a government office or the telephone—to new electronic channels.

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I'd like to share with you some of the conclusions of a study Accenture has recently completed regarding the capability of Canadian provincial governments to deliver electronic services. Our study found that although the breadth and depth of services offered on-line by the government of Ontario is among the best in Canada, there is still a very long way to go before the government can realize its full potential in this area and match the lead established by the private sector. Our study found that too often government Web sites mirror the structure and organization of government departments and agencies. The majority of these Web sites offer limited value to citizens and generally focus on what the ministry or agency delivers rather than what the citizen intends to achieve.

The challenge the government faces is in delivering electronic services that meet the intention of the cus-

tomers. E-government cannot be restricted by program or departmental boundaries that traditionally exist within government. Until government Web sites have a common look and feel, are easy to navigate and provide services that meet the needs of citizens, movement from traditional to electronic forms of service delivery will not occur and the potential benefits will not be realized. Citizens will continue to wait in line rather than receive services on-line.

However, the government has made an excellent first step in this area by moving to consolidate electronic services under the Ministry of Consumer and Business Services. We believe this is necessary if the government is to achieve the benefits that electronic services can deliver. Accenture also acknowledges that implementing e-government is considerably more complex than a private sector company introducing on-line sales or moving procurement to a trade exchange.

MCBS has started down the path where services will be consolidated under "life bundles." This means services will be offered in groups corresponding to the requirements of a life event. For example, getting married may involve more than just a marriage licence. Changes in address, changes in name and honeymoon vacation plans are all potential additional requirements that can be satisfied in one "life bundle" grouping. This service delivery strategy can be expanded to encompass the majority of government services and impact the majority of government ministries. Rapid expansion of existing "life bundles" will create tremendous incentive for citizens to increase their use of the Internet to access government services.

Let me, at this point, caution that the effective delivery of government services is not just about changing the channel. It requires a rethinking of the services themselves. For example, take the changes that are occurring in education and health care. Accenture believes these sectors can benefit in terms of service quality and reduced costs from the creative application of information technology. Our company's experience in other jurisdictions has taught us that such reforms require a transformation on a large scale, and the skills required to effect that transformation and the required funding might not be available within the public sector.

Accenture believes the government can expand upon its previous successes with public-private partnerships using the resources and capabilities of the private sector to deliver and drive benefits for the public sector. We're encouraged by the budget's intention to expand the SuperBuild Corp's mandate to explore public-private partnerships in information technology.

Our company is pleased to be involved with the Ministry of Community and Social Services in transforming the information technology supporting the delivery of social assistance. This project is a public-private partnership that has transformed the social assistance delivery system at no cost to the taxpayers of Ontario while delivering more than \$300 million in measurable benefits to date. The project is on target to generate \$1 billion in

administrative and program savings to the provincial government and the taxpayers of Ontario by 2004. Accenture believes there are other opportunities for the government of Ontario to take advantage of private sector funding and experience to accelerate changes at no cost to taxpayers.

I'd now like to touch on two areas where Accenture would like to make specific recommendations to the government of Ontario.

Firstly, because of the government's inability to consolidate its purchasing information and conduct fact-based negotiation with its suppliers, significant opportunities to save money on the cost of goods and services are being lost.

As an aside, you must be clear that this is not a failure of the public service. It's a failure of the fact that multiple ministry systems cannot be connected to allow this information to be aggregated for use by procurement people. Management Board is in fact looking at alternatives to get around this.

Accenture estimates it could save the government of Ontario in excess of \$1 million a day if it were to implement an electronic procurement marketplace for the broader public sector while also reducing red tape and opening the government marketplace to a larger number of small-to-medium-sized businesses. We're seeing governments around the world reduce their costs and streamline their procurement to the benefit of buyers, sellers and the taxpayers.

Finally, let me touch on a taxation issue that the expansion of e-commerce will create. In the new economy, borders are obscured and jurisdictional sovereignty is unclear. The purchase of goods and services on the Internet does not require the buyer to know, or even care, what province or country the goods or services come from. It's logical to assume that, all other things being equal, buyers will choose to purchase goods and services to which taxes are not applied. This will not only reduce the tax revenues Ontario will receive but it will put Ontario-based businesses at a competitive disadvantage to those in low-tax or no-tax jurisdictions. Ontario-based businesses might then have reason to relocate to remain viable, resulting not only in the loss of sales tax revenue but also in the loss of high-paying jobs and the associated impacts of those losses.

We recommend that the government of Ontario create a special committee made up of private and public sector tax and technology experts to address this issue and make recommendations before the volume of trade increases to a level where the issue becomes a major tax headache for Ontario.

In conclusion, I'd like to reiterate Accenture's belief that the fiscal policies of this government have contributed to a vibrant Ontario economy. Accenture is convinced there are tremendous new opportunities for the Minister of Finance to continue to provide the fiscal leadership that will ultimately result in the delivery of better government services at lower cost to the taxpayers of Ontario.

Thank you for the opportunity to address you. I'd be happy to answer any questions you might have.

The Chair: Thank you very much for your presentation. We have one minute per caucus, and I'll start with the government side.

Mr Joseph Spina (Brampton Centre): Thank you, Mr Brown. It's very interesting in your comments at the top of page 5—well, I guess they kind of overlap from page 3 to page 5—regarding life bundling. We also wanted to add in the issue that divorces cause changes in information, not just marriages. The element here really has to do with how government conducts business. I guess the question is, is it possible to have a multi-ministry access card, if you will, or a process or mechanism to access government services while still keeping private the critical elements of that individual's personal life that do not pertain to another ministry? If transportation accesses it for driver's licence information, it wouldn't be accessed by people in health and vice versa, as an example. Is it possible to have that while still retaining the privacy, the so-called firewalls perhaps in the system?

Mr Brown: Absolutely. The whole function of electronic service delivery is not to combine the data or to break down the program walls between ministries, it is to provide an overriding layer, really a presentation layer, that allows you to connect to various databases and get various services without in fact connecting the services themselves. It's an artificial layer above things which allows customers to receive services in the way that they prefer to expect them, but not in a way that requires you to consolidate or combine information in a way that might jeopardize privacy.

Mr Monte Kwinter (York Centre): Thank you very much for your presentation. I notice you talk very supportively of the Ontario information technology centre, and I agree. In your industry—and I have some contact with it—there seems to be a very desperate need for IT people. I know the companies I'm involved with are going to India and Russia to find these people. I know at the University of Waterloo a lot of their graduates are immediately scooped up by Microsoft and go to the States. Do you have any ideas of how we can deal with that in the short term? One of the things that I hear in the information technology centre is their number one problem is getting qualified people.

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Mr Brown: I don't think that I have a short-term fix for that, but I think the government has made a very good step toward a long-term fix.

Mr Marchese: Thank you, Mr Brown. I appreciate the generosity that you bring to Ontarians and to the government in trying to lower costs for taxpayers. It's unanimous. You say on page 4:

"Accenture believes that there are other opportunities for the government of Ontario to take advantage of private sector funding and experience to accelerate changes at no cost to taxpayers."

You're not doing this for free, obviously; there's a cost somewhere. We pay one way or the other, do we not? It's not done for free; someone's got to pay somewhere for a service that's provided. Isn't that true?

Mr Brown: That's correct, but the payment is made out of the benefits that are derived from the improvements that the private sector partner develops on behalf of the government, improvements that are unlikely to occur without the expertise and support of a partner to do so.

The Chair: With that, we've run out of time. On behalf of the committee, thank you very much for your presentation this morning.

KOHAI EDUCATIONAL CENTRE

The Chair: Our next presentation is from the Kohai Educational Centre. I would ask the representative to come forward and state your name for the record, please. On behalf of the committee, welcome. You have 20 minutes.

Ms Mary Southcott: Hello. My name is Mary Southcott from Kohai Educational Centre. Thank you for being able to speak to you today.

We're not a global leader. We're a very small school, 50 students who have special needs. We're an independent school. Mostly the students come to us because they have failed in other settings, either public or private. Our tuition is very steep to provide services. For our adults tuition is \$12,500 for the year. For our younger students from the age of three, it's between \$20,000 and \$25,000 a year.

The families that use our services have disabled children, and already those children are more expensive. It's a bad way to put it, and I don't mean to put a value on children's lives, but when you have a disabled child there are fewer services available to you and they cost more money.

The education that we provide is a very good one. Our ratios are small. We deal with children who have behaviour difficulties, neurological/genetic disorders, autism, spectrum disorder, Down syndrome and other types of disorders. We take children with behaviour problems. They come to us because they have assaulted teachers or have no language, for example. They come to us and we teach them. We teach them to read. We teach them to speak. We teach them toileting. We do things that can't be done in the public school system, and our parents have to pay for that service. So this tax credit is a very good thing for them.

We're not an elitist school. We're not a religious school. We will attempt to take in any child or family that comes to our school. In fact, when we first began in 1976, there was funding that came to us from Comsoc, the Ministry of Community and Social Services, for children involved with the children's aid society and children who had difficult families or difficult pasts. When Bill 82 was passed, that funding was stopped. As a group of teachers and educators, we in fact made it possible for

families who could not afford the fees to get subsidies in order to come to the school, which meant that the teachers made less money.

We are also a charitable organization so we do raise money in order to offer subsidies to families, and we do subsidize families who have very little money and offer a range of subsidies to families. We actually provide a very important service in the city of Toronto. We probably save the taxpayers a lot of money because our per-pupil cost is much less than what it would be in the public school system. Our students are the type of students who would need an educational assistant in the classroom, speech therapists, pathologists, psychologists, child and youth workers, and we provide that in one setting.

I know we're a very small part of the community, but a very deserving part of the community, and I think that this tax credit is a very good thing for our parents.

The Chair: That completes your presentation?

Ms Southcott: That completes my presentation.

The Chair: Thank you very much. We have approximately four minutes per caucus and I'll start with Mr Kwinter.

Mr Kwinter: Could you just tell me the structure of your classes? You say you go from school age to adults.

Ms Southcott: We go from preschool to adult. We actually take children in from the age of three, and we have adults at the school in a program which blends academics with life skills and vocational skills as well. We have an academic primary-secondary part of the school, as well as preschool and post-secondary.

Mr Kwinter: My concern is that because we haven't seen the regulations, we have no idea how this particular tax credit is going to be administered and whether or not institutions like yours—and we've had a couple of others appear—will even be eligible. The reason I say that is there's no question that you're an independent school, but you do have other components to what you're doing.

You say that your school was funded by community and social services. I know for a fact that in my riding we had an adult learning school and the funds were totally cut. They shut it down. Bathurst Heights Collegiate is totally closing down, and it was basically an adult training centre. The government just cut those funds. I can't see them suddenly saying, "We're not providing funds for that in the public school system but we are going to provide it in the independent school system." Do you have any thoughts on that?

Ms Southcott: I'm not here to do politicking, really. I'm here to represent the parents in my school and the opportunity that this tax credit would afford them. When a family is paying \$25,000 a year because their child is autistic and doesn't speak and needs to learn to be toiletied and learn social skills, I actually think there is some responsibility for the government to help those families and those children. Those children have a right to learn the same way that other children do. Currently, the way those children are served in the public school system, it's not working, and we provide an alternative.

Mr Marchese: Ms Southcott, I appreciate the work that you do. It's a very complicated job working with young people, and older young people, who have these problems. You say the public system really can't do some of the things you do—can't or is unable or won't. Why not?

Ms Southcott: Whenever you have a large organization, the way in which you have to structure that organization to work is by building rules and regulations. When you have a 12-year-old autistic girl who doesn't know how to go to the bathroom by herself in a system where the teachers are not allowed to go into the bathroom with that child, then you have a problem. It's very difficult in the public school system to make exceptions to those rules. We all know that.

In the private system—at least our school, because we work with the individual child and set a program for that child—we have a lot more freedom to do that. We don't have to follow a grade 3 curriculum if a child is at a grade 1 level, even if they're at a grade 3 age. We can still teach them the mechanics of reading. We can teach them how to speak. We don't have to force them through a curriculum that's not appropriate to them.

Mr Marchese: In the same way this government is trying to give the flexibility and the choice to everybody to be able to take their children wherever they want, why can't they provide that choice and that flexibility for the system if it's not available to do so?

Ms Southcott: I very much believe that the system should be able to do that, but at the moment it doesn't. When your child is three years old and doesn't speak, you can't wait 10 years for the system to work. You have to do something now.

Mr Marchese: I appreciate that. Shouldn't we be lobbying this government in particular, dare I say, that we provide these services, because these people need the help? If they don't send them to your centre because they don't have the wherewithal, shouldn't we be fighting governments to provide for these things? Isn't that our role?

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Ms Southcott: That's not what I'm here to do today. What I'm here to do is to try and help some of the families who don't have the funds to be able to use our resources to have a better chance to do that.

Mr Marchese: Thank you.

Mr John O'Toole (Durham): Perhaps one question and then I'll share it with my partner here.

First of all, I appreciate the work you do. I have some experience, having been a trustee and having served on a special education advisory, and there are hard-to-serve students and other people. The public system has developed over the last three or four years a system on special education where high needs or hard-to-serve, an intensive support amount, ISA—you're probably familiar with that term. There's up to \$40,000, I think; there's an assigned person in a regular classroom for an individual who needs intensive support.

I think what I hear you saying is that you have a compact delivery form where you have the speech and language person and you have the counsellor working as a team. I see by the resumé here some are qualified teachers, some are qualified in other kinds of provision of service, not maybe members of the same professional association, teachers' association. It's hard to find the right word there because that's part of the problem, "it's not my job," kind of thing.

You use one instructional method I'm familiar with, which is the intervention program, the intensive behaviour intervention, which is a very specific technique for dealing with ADHD. Could you perhaps address that in terms of, do these individual children get funding through any disability? Some of them must be identified on some kind of disability pension or—

Ms Southcott: There is no funding available except for autistic children who are under the age of six and that's a new—

Mr O'Toole: The speech and language money and—

Ms Southcott: No, it's TPAS, Toronto Preschool Autism Service, which has been funded, I believe, by the Ontario government, and it's for children who are autistic between the ages of three and six. But that funding ends at school age. There is no funding once they reach school age.

The Chair: On behalf of the committee, thank you very much for your presentation this morning.

ONTARIO SECONDARY SCHOOL TEACHERS' FEDERATION DISTRICT 12

The Chair: Our next presentation is from the OSSTF, district 12. I would ask the representative or representatives to come forward please and state your name for the record. On behalf of the committee, welcome. You have 20 minutes for your presentation.

Mr Jim McQueen: Thank you, Chair. Let me begin, if I may, by introducing myself. I'm Jim McQueen, president of the Ontario Secondary School Teachers' Federation. To my right is Doug Jolliffe, the vice-president, and to my left is Wendy White, the other vice-president.

In preliminary remarks, let me just suggest to you that we concur with a number of the criticisms that have been made throughout the hearings of this particular proposal on private schools. What we have attempted to do in our brief is to outline some variables that we don't think have been given consideration.

The secondary school teachers of the city of Toronto, 7,000 strong, wish to state their unconditional support of the Minister of Education when she said the Ontario government "continues to have no plans to provide funding to private religious schools or to parents of children that attend such schools.... Extending funding to religious private schools would result in fragmentation of the educational system in Ontario and undermine the goal of universal access to education."

As with the funding model, the impact of the government's proposal in Toronto is enormous and growing exponentially as it works its way through the vastness of Toronto. The following statistics are alarming:

If 15% of the students who presently attend public schools switch to the private system, as OSSTF polling suggested might happen, an additional 15,000 students would be lost by the public system;

The loss to the Toronto school system would be \$315 million. Teacher job loss would be 2,500 positions;

Teaching and professional services staff loss would be 375 positions;

Secretarial loss would be extensive and reflect the same dramatic loss in positions.

The possible impact of these figures on a single board of education will seriously hamper Toronto's ability to maintain quality education in Toronto.

The Toronto board of education has already presented its report to this committee. The teachers of Toronto can only second their concerns and indicate support for their position.

District 12 OSSTF would like to express the following concerns about this ill-conceived initiative. While the focus on the proposal has been funding to religious schools, we see no barrier to the extension of this funding to other forms of private institutions. What is to prevent the corporate sector—be it McDonald's, Cisco, IBM or any other manner of corporation—from creating private schools focusing on their particular interest, registering students, offering Mac-credits and instructing applicants to apply for the private school subsidy to offset tuition costs? Lest you think this is alarmist, consider the enormous growth of corporate credits presently being offered in the Toronto school system, the activities of the Learning Partnership, the invasion of Youth News Network and the number of conferences held for private entrepreneurs on how they might gain access to the public educational system. We fear that the government is on the verge of opening a Pandora's box which will see an even greater fragmentation of the system than anyone anticipated.

The teachers of Toronto also take issue with the concept of freedom of choice. While we concur that democracy allows any number of freedoms of choice, including governments, it is fallacious to suggest that this choice should be extended to public services. No citizen is allowed to select their favourite subway system, their politically correct sewage system. The citizens of a province or metropolitan setting gather together and provide a single public service for the good of all. In those odd occasions when choice has been permitted, such as in the gas industry and the electrical industry, the results have been costly to the citizens. As David Stratman, director of the National Coalition for Public Education in its defeat of the American Tuition Tax Credit Act of 1978, stated: "Charter schools, school vouchers and school choice attack the idea of a public good and undermine the power of ordinary people by replacing community relationships with the competition of isolated people."

In the matter of providing support to religious and other private schools, the impact in Toronto will be enormous. Consider that, in the Toronto Yellow Pages alone, 82 schools presently advertise private schooling. This list does not include day care centres or early childhood education. The Toronto board of education, in dealing with contractual matters, works from a list identifying some 65 various religions which have accepted standing in the community. Legally, this tax credit could be used to support a school of Scientology where students are taught under a portrait of L. Ron Hubbard. To suggest that the government's proposal is a minor shift in government policy is to totally underestimate its impact and potential growth.

It would seem appropriate for us to comment on the issue of funding of the Catholic system. District 12 OSSTF does not want to enter into the debate on the funding of this educational system. Suffice it to say that the fathers of Confederation saw fit to provide constitutional guarantees to citizens of Roman Catholic belief. A Conservative government of another day saw fit to extend those constitutional guarantees. Whether that funding should continue or not is a different question than confusing the issue by appearing to expand those limited constitutional rights to all other religions. If this is the question that the government is attempting to answer with this proposal, then the question that should be asked is whether all public education should be secular. More importantly, a full and open debate on that question should take place before any decision is made.

In conclusion and in continuing to find points where the teachers of Toronto can support this government, we concur with Premier Harris when he said: "As our provincial Minister of Education has made clear, our government is committed to preserving and improving our public education system by upholding our constitutional obligation to fully fund public and separate schools. Complying with the UN's demand, as the federal Liberal government would have us do, would remove from our existing public education system at least \$300 million per year, with some estimates as high as \$700 million. Obviously, such an action would run directly counter to Ontario's long-standing commitment to public education."

We include four recommendations:

(1) That the government withdraw this proposal from its budgetary legislation;

(2) That before this bill is reintroduced or offered for public debate a full accounting of its impact be provided to the citizens of the province, including an estimate that ensures that this funding expansion would not place the provincial government in violation of its own law requiring balanced budgets;

(3) That a province-wide referendum on extending funding to private schools be held to determine the citizens' opinion on the merits of such legislation prior to any government introducing legislation of this nature;

(4) That, as an alternative to number 3, no extension of funding to private schools be implemented until a provincial election is held.

We'll be glad to take any questions.

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The Chair: We have two and a half minutes per caucus.

Mr Marchese: Thank you for your presentation. One of the things I have been saying as a New Democrat, and New Democrats support this strongly, is that the best way to reflect our diversity is within our public system, and within Toronto you do that very well. Within Toronto you offer international languages, which teaches languages and culture. It reflects it very well. You have religious readings that reflect the different religions, the different communities we have that come from all over the world. You teach black studies as well, as part of the international programs. You have native studies, or you did when I was there.

If we taught religion as a course of study, that would be the best way to reflect diversity and the richness of all the different communities. Isn't this the best way to provide that, as opposed to saying we should reflect the diversity by offering to the communities their own education in their own culture, in their own religion?

Mr Doug Jolliffe: I'll answer this. When I first started teaching I taught in a very large downtown Toronto school, and I had only recently moved to Toronto. We counted, and there were 88 languages being spoken in the school. All the religions that took place in the school were all accommodated. Friday prayers were a part of the school week. The school was Western Tech.

Just prior to that I had a short-term engagement at another school, which, thinking of the last presenter, did what her school now does in dealing with severely disabled students and adults. Those kinds of things have been lost recently due to the lack of funding. We've heard that Western Tech has lost about 40% of its students due to the cut-off of adult education, and the other school, Brockton, has been closed down.

We can do it. We used to do that. We used to recognize diversity of all kinds in the public education system.

Mr Marchese: By the way, I do think, like you, that there will be a proliferation of other private schools. We're talking about religious schools at the moment. My question was directed to that because that's all they're talking about. They're not talking about the other private schools, like Upper Canada College, that they dare not mention. They're going to be funded, but they dare not talk about that.

I see a proliferation of these other schools, and I know that, on page 2, you obviously see that as well. I just wanted to say that I support your view as well. They would rather not talk about it, but I see them proliferating.

Mr R. Gary Stewart (Peterborough): I have one very fast question. On page 2, I cannot believe the statement you've made: "The teachers of Toronto also take issue with the concept of freedom of choice." Is this a fact that members of your union believe that? Have they all signed saying that you could use that statement?

Mr McQueen: First, Mr Stewart, we are a democratic organization. We're elected to speak on behalf of the membership. We don't have to consult with them on a daily basis. But also, to be fair, one should read the whole of the statement, where we state that freedom of choice does not exist within the provision of public services. As we indicate, you don't choose your subway or your sewage system or whatever. In a democratic society, that is perceived to be the coming together of a civilized group to provide those services which individuals can't afford but collectively it can be afforded. So I think for you to suggest that we have taken that stance is a total misrepresentation of what we're saying.

Mr Stewart: I don't wish to be argumentative, but certainly the idea of that comment made on behalf of all your teachers is rather unfortunate.

The Chair: Mr O'Toole, you've got one minute.

Mr O'Toole: On page 3, you made a statement: "A Conservative government of another day saw fit to extend those constitutional guarantees. Whether that funding should continue or not is a different question than confusing the issue by appearing to expand these limited constitutional rights to all other religions."

I guess your position is clearly stated, since about 1980, that you want one system, one homogeneous system. That's an assumption I've made and that's what I've heard from all the directors of education. They want one system—one size fits all—and you aren't stopping until it happens. But I'm quite surprised at the intolerance on page 3. On what academic basis are you able to assess that L. Ron Hubbard and Scientology, or whatever—you're assessing a judgment on that page which smacks of intolerance.

Interjections.

Mr O'Toole: It does.

Mr McQueen: My understanding of a committee hearing is to exchange views. If one does or does not have those views—

Mr O'Toole: You just said you don't need to consult with your membership.

Mr McQueen: I didn't say that either, but—

Mr O'Toole: Yes, you did.

Mr McQueen: It's not appropriate for any member of the Legislature to characterize what we're saying. With the situation that exists, we feel under this legislation that those kinds of examples are possible.

In relation to separate school funding, we acknowledge the fact that both the Fathers of Confederation and the government have taken into consideration what they considered to be a constitutional requirement. We don't have any argument with that. As an organization, we could suggest any number of ways that the education system could be changed. But we think it is not helpful to take that issue, which has already been decided, and muddy the waters in this particular issue with it. If you want to deal with that issue, then let's have a public debate, let's discuss all the alternatives and let's let the people of Ontario make a decision as to how they want to go.

The Chair: Thank you very much. Excuse me, we still have one more.

Mr McQueen: I apologize.

Mr Gerard Kennedy (Parkdale-High Park): Thanks, Mr McQueen. I can understand why you might want to leave after talking to the member of the government party.

Members of the government, and some of them sitting over here, don't have the courage to put it on the table. They didn't have the courage to divide this into a bill. They certainly didn't have the courage, like some of their American counterparts, to submit this to a referendum. So we're here because of the timid government that says they want to do something but they want to slide it in.

They would blame unions for all the problems. They would say that all the problems of recent years have come from unions. We used to have a system that allowed people to address needs in Toronto according to the needs of the people of Toronto, in Hamilton, in Ancaster, in all the different places. They're the ones who have given us the one big system.

There are two questions I want to ask. I just want to let you know that about a year and a half ago in their official submission to the UN the government said that funding private schools "would have negative fiscal impacts as there would be a marked increase in the duplication of services and capital costs ... and a concurrent diminishment of the range of programs and services that the public system would be able to afford."

That's what they used to say. That's the only published report there is to actually cover off what this would do to the public school system. This government said it would hurt the public school system, and they haven't produced anything to the contrary.

There is one thing I would like to ask you, on behalf of the students you serve every day. Yesterday we had a report, and today in the paper, about the amount of money that has been taken out of the Toronto system. Our estimate is that it's close to \$2,000 per student since 1995. I wonder if you could take a couple of seconds to tell us some of the main impacts that has had, because I think that's mainly what this is about: they would divert more money away than they have already taken from the students in the publicly funded systems.

Mr McQueen: I sent a memo yesterday to all our members because of the end of the year, simply suggesting to them that unfortunately the education system has been totally disrupted and there is no particular hope for the future. I did that because I visit the schools and I talk to the members, and as I go into those schools, those schools are bitter. You have teacher against teacher, you have teachers against the administration and you have teachers against the board. The morale has simply plunged, and much of it has been as a result not only of what this government has done to them as professionals, but also what they see in the classroom. They see ESL classes disappearing; they see class sizes, in spite of what the legislation says, growing; they see a loss of resources. I started teaching at Stephen Leacock in 1975. It was a

joyful place to go. I'm going to a retirement today in that particular school, visiting a teacher I taught with who doesn't have to retire, but he said he's had it; he can't stand the job any longer. That's the kind of environment that has been created in the school system.

The Chair: On behalf of the committee, thank you very much for your presentation this morning.

1020

GERARD ARDANAZ

The Chair: Our next presentation is from Gerard M. Ardanaz, if you could come forward, please, and state your name for the record. On behalf of the committee, welcome. You have 20 minutes for your presentation.

Mr Gerard Ardanaz: Good morning. Thank you for allowing me the chance to speak today. My name is Gerard Ardanaz. I was born in Spain and came to Toronto with my family in 1958. I had the good fortune to study at St Peter's elementary, Harbord Collegiate and then at York University. I have been teaching for over 20 years, the last 12 at St Mary's Catholic Secondary School. I am grateful for the great education that I received and even more grateful for having had the opportunity to teach.

Let me say that in my opinion, this city and this province have grown in ways that few people in the 1950s, 1960s or 1970s could have imagined. In many ways Toronto grew but still maintained the sleepy-town atmosphere of my early years here. What also grew was an education system that helped this city grow in a way that was the envy of many cities around the world. I am very much convinced that one of the pillars of this city's growth was our education system. It offered opportunity to all, and those who didn't take advantage of it could at least say they didn't take advantage of their chance. This system allowed many employers to find a qualified labour force in this province. It was not a coincidence that one of the popular songs of the time was *People City*, a song celebrating Toronto and its people.

In the last 10 years, much criticism has been directed at our system, some of it—not all—well-founded. This system, like any system, needed some fixing, but it was not a complete disaster. We still had a system that was producing good graduates and good citizens. I personally know of three individuals who graduated in the last eight years who are now working in Europe, two of whom are doing work that would be the envy of many young people. I can also tell you that many graduates from St Mary's have gone on to do quite well and, even more importantly, have become good citizens. This system was not broken. In need of change, yes; in need of fine tuning, yes; in need of a major overhaul, I doubt it. But the government has decided it needed a major overhaul, and that is the government's prerogative.

For the last six years, we have had an incredible amount of change. It seems that every month brings on a new announcement. The change has happened at such a pace that even the answers we get for our questions seem to change from day to day. In our school, the amount of

discussion that has gone on as to how to handle the changes cannot be measured. The people who have been discussing these issues are the real professionals in education: our teachers, our vice-principals and our principals. They have worked to implement changes that were still in the formative stage. Courses were being discussed at times without the course profiles having been printed. Mapping out a student's future was at times difficult, since we didn't have all the information we needed on future courses. In special education, many teachers and specialists have spent many hours filling in forms to convince the Ministry of Education that we needed the money—hours that could have been put to better use—yet the changes seem to continue. We need time to make sure all these changes are implemented properly, or they won't work, before we make a major change like extending funding.

The literacy test has been put out there as the great remedy for whatever ailed our system, yet we haven't discussed what to do about students who decide to give up on school if they can't get a diploma. Students are now being told by grade 9 that they can't go to college or get an apprenticeship. We spend our time testing our students, but in reality there is very little time for remedial work, since the amount of work has increased significantly and there is little time for catching up. Students who don't mature as quickly as others are quickly finding out what failure is all about. We need time to make sure all these changes are implemented properly.

So here we are. The Minister of Finance decides that he should expand the education system. He hasn't shown any impact studies on what this will do to the public system. He hasn't explained how the system can continue if the kids who leave are the ones who cost the least because of their abilities and some of the ones who stay cost more because of their special needs. The minister didn't address the fact that in year one the government stands to save approximately \$6,300 for every student who leaves the public system. The minister didn't even consult with the Minister of Education. Even Mr Harris, our Premier, spoke against this a while back. What is the urgency? This party has three years left, yet they are willing to rush this fundamental change without any studies and very little discussion. We need time to make sure all the changes are implemented properly before we extend funding.

As committee members, you have a chance to speak up. In a leadership situation, one cannot say, "I was told to do this." If this change is good, then why the rush? Let me say that I was told by a colleague just yesterday that after a meeting he had with teachers from a different school, there was still disagreement as to what criteria there were for MID students. What is the pathway for students who don't pass the literacy test? What do we grant students if we cannot grant them a credit?

There were many other questions that I was given, but the point I am making is that these professionals, those in the trenches, as some would say, are still grappling with the changes. If the professionals are confused, what is the

state of our parents and students? Many are just beginning to find out that they are making decisions without really understanding their consequences. This is not the way we should be dealing with our young. Before we extend funding, time is needed to make sure all prior changes are implemented properly, or they won't work.

This government has adopted the label of accountability. It rushes out to make sure that everyone is accountable, yet look at how this change is being implemented. Did they hold hearings to deal only with this very important change? No. Did they inform the electorate in the last election that they would be doing this? No. As a matter of fact, they did the complete opposite. Did they discuss this thoroughly in caucus? I'd have to say no, since not even Ms Ecker, the Minister of Education, was aware of it. They didn't even offer up a few trial balloons. Even some government members are upset by this policy. You can call this many things; accountable isn't one of them.

The government of Mike Harris has prided itself on handling the affairs of this province in an efficient and responsible manner. If they are truly doing this, why are there no studies on what the effects of this change will be on public education? Why is the finance ministry instead of the education ministry handling this significant change? What has happened in the last while to change the Minister of Education's mind on this issue? Semantics aside, why has the Premier gone back on his words during the election, that he would not do this? What business would run in this fashion? Is this really efficient and responsible?

As committee members, you have to speak up. Leadership is about showing us the best way to the future. You can't hide behind party affiliations. The future needs a sound foundation. Rushing through major changes that even Mr Harris said would not be wise is not the way to serve our future citizens. Our people need to have their voices heard and considered. Passing laws without proper process is not governing; it is an exercise in power. Governing occurs when the people feel and act as if they were part of the process. Governing will lead to a better future; using power will not.

I am not an expert in government, committees or any of the procedures you use here in what should be the centre of leadership for this province. I do, however, know something about the classroom and schools.

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Years ago we had a problem with vandalism, and within a matter of months we had reduced vandalism by over 90%. This was not done by one man, one woman or the passing of some law. It was done by everyone working together: teachers, parents, students, caretakers, secretaries, principals and vice-principals. It was done through respect, communication and co-operation. Without this collaborative effort, vandalism would have continued.

Teaching is a very humbling job. The only power I have is the power of someone choosing to listen to me. I might be wrong, but to govern without listening and

trusting the very people you serve is a risky venture. Personally, I find it doesn't work in the classroom. In the long run I fear it won't work in your classroom, this fine province of ours, Ontario.

Let me finish by saying if you must proceed then give us time to make sure all prior changes are implemented properly before you extend full funding. Then do it properly by studying the situation and presenting it properly. Its significance warrants at least that. It takes courage to defy your leader, but leadership is about acting courageously.

The Chair: We have two minutes per caucus, and we'll start with the government caucus.

Mr Ernie Hardeman (Oxford): Thank you very much for your presentation. It was very well presented and well researched.

One of the things that caught me is the studies to see what effect a tax credit has for people who make this choice to have a different type of education for their children. One can talk about doing studies, but the fact that five other provinces have already done it and found minimal migration would seem to me to be a better study than a poll that says 15% of people might consider it. Yet we want to base our position—your position in the presentation; I'm not sure you mentioned it, but I know the previous presenter did, that if 15% move, this would be the impact. It would seem to me that's a rather vast jump.

There is no information out there in studies that would show that there is going to be a major migration of students. There is, at least in my community, support from people who are presently in the system who are going to great sacrifices to be able to send their children to their choice of education and who are going to have a small benefit. I guess when I get to the small benefit I just want to—and I'm sure it was a misstatement you made, that before we go to full funding we should do studies. I just want to point out that there is nothing in this legislation that talks about full funding for all independent schools. I'm sure you understand that this government is talking about a minimal tax credit to help people with their choice of education for their children.

Mr Ardanaz: First of all, I understand it's 50% in five years, 10% next year. Second of all, when I refer to a study I don't refer to a poll. Anybody can go out there and grab a poll. I'm talking about a serious study. I'm talking about, what are the consequences to a school system if 15% leave. I'm not familiar with the other provinces. I do believe some of them have a set fix on spending on public education; they do not have a per-pupil funding formula. What we have done here in Ontario is we have created a per-pupil funding formula and now all of a sudden when people leave, that money goes with them.

You can have a student who's a darned good student and he will not take up all your resources. We might be getting \$7,000 for him. But you can have a boy next to him who is taking up \$25,000 worth of resources. So

forget the polls. We need studies that show all these things.

You talk about choice. When a public system opens the door, it doesn't present a student with a test and say, "We'll see if you're good enough to come in here." I'm familiar with a couple of private schools and in order to get in there you have to write a test, and if you don't measure up you do not get in. If a student comes to St Mary's—we're a composite school, and by the way a darned good composite school, also very low on the literacy testing results because we take kids from everywhere—

The Chair: Thank you very much. We've run out of time. I have to go to the official opposition.

Mr Kennedy: Mr Ardanaz, I want to thank you for your presentation. I also want to remind you that if you have a copy of it, the clerk can circulate it to everyone.

Mr Ardanaz: I only have one copy extra. Sorry, I'm only a teacher; I don't have a secretary.

Mr Kennedy: That's fine, and I appreciate the appropriately sombre tone. Just very quickly, I know the government, and particularly Mr Hardeman, didn't mean to leave any wrong inference, but of course there is no voucher or tax credit system anywhere in Canada, or in the United States, for that matter. There are two experimental systems in Milwaukee and Cleveland and some very dubious results have come from that.

The one study in Ontario of alternative funding for schools not in the private system is the Shapiro report of 1985, and it had this to say about private school tax credits or vouchers. It said it would be the most damaging to the public system. So I certainly want to endorse what you've brought forward today around how reckless it can be to proceed without any idea of what damage or benefit you're going to obtain.

The part I'd like to ask you about—and by the way, each of the members opposite and members of all caucuses we invited to go and visit a school and explain this. If we're not in such a rush, if we're prepared to show the minimum amount of respect, then we'll go to the community that you represent and the communities of all of the schools and explain to them what this would do and allow them to participate, because for some reason there has been a tendency in this House to simply over and over again pass laws without regard for the consequences.

I'd like to ask you about your students. I'd like to ask you what this says to them about the commitment of the government to their having a good education. If the government sets up a system that is biased toward private schools, how is the student at St Mary's Composite going to feel that this government is committed to their doing well?

Mr Ardanaz: I don't know how the students would feel. I do know that they have an image at times of themselves as inferior to private school students. That came out during the literacy tests. In one class, I walked in and I had to remind the students that if we took our top 20% of our students, divided our school with 20% aca-

demic, 40% applied and the rest of the students essentials, or 20-60-20, something like that—they all of a sudden began to realize that the literacy results were not a fair comparison, say, between certain schools and other schools. If you have a school in a certain part of town where there's a highly educated group of people and you have a school like St Mary's with a lot of immigrant background etc—no insult to the immigrants here, because they all bring their expertise, but if you haven't got the first language of English at home you are at a disadvantage.

I really feel that a place like St Mary's would suffer great consequences if all of a sudden more money is taken out. After this, I've noticed a difference in the last 10—not 10 years; well, actually, let's be fair, the last 10 years, because money has been removed from education for over 10 years, especially the last few years even more so.

The Chair: Mr Marchese.

Mr Marchese: Thank you, Gerald, for your presentation. It was very thoughtful.

Mr Ardanaz: Gerard.

Mr Marchese: Gerard. I was looking at the presentation made by Duncan Green yesterday. He was a former director of the Toronto Board of Education. His position was supported by 20 other directors from other parts of the province. One of the things he says is, "Usually, a tax credit is introduced to encourage a particular action or behaviour. We cannot think of a tax credit that is designed to discourage activity. Therefore, we anticipate that a greater number of parents will consider, and opt for, educational settings outside of the more regulated and publicly accountable school system."

I believe that to be true. Do you believe a tax credit is designed to discourage people from leaving the public system?

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Mr Ardanaz: I don't know if that's what will eventually encourage people to leave, but I think the conditions would change. Finally people would say, "I'm going to have to make this decision."

I'll go back to my school. The great thing about St Mary's is that we learn a lot of things and one of them is how to live together. We have students who go to university, students who go to college, students who go to work and students who go to co-ops to learn how to work. I think if we lose the top end of our students in a school like that, we become poorer and they become poorer because then they do not understand the intricacies of living together.

I remember getting my Canadian citizenship and walking to school, and the teacher saying to me, "I guess this means you'll behave better." But that's what education is about. It's about creating citizens, it's about living together.

I'm afraid that if this goes through—I can't see the future and I'm not going to tell you flat out it's not going to work, but before I make a change to my house, I study it to make sure it's going to work, and there's no study

here. This is too important and the price is too big if we fail in this.

The Chair: On behalf of the committee, thank you for your presentation this morning.

**CHEUK-KWONG WONG
GRANT ORCHARD**

The Chair: Our next presentation is from Grant Orchard and C. K. Wong. I would ask the presenters to come forward, please. On behalf of the committee, welcome. You have 20 minutes for your presentation this morning.

Mr Cheuk-kwong Wong: Thank you so much to the Chair and good morning to everybody.

My name is Cheuk-kwong Wong, resident of Toronto-Danforth, 223 Chatham Avenue. I am speaking against the government proposal of giving a tax credit to private school parents. I understand so many public schools are not as good as private schools by comparing their academic performance. I suggest using the money to improve every public school in line with the private schools. Then everyone can choose which school to go to. Why do we not spend the money in the area needed, but put the money in a spot nobody wanted?

I am a private school parent. I have not needed the tax credit in the past 17 years. Also, I realize that private schools have existed longer than 100 years. Who asked for a tax credit in the past?

My daughter finished high school this year. Every top university in Ontario offered admission with a scholarship. The University of Western Ontario, faculty of engineering, is giving a scholarship of \$8,000. The University of Toronto, the top program, engineering science, is also giving a scholarship of \$3,000. McMaster University, engineering faculty, is giving a scholarship of \$3,000. Queen's University, applied science, is also giving \$1,000. Those are the top schools in Ontario. They are all giving scholarships. My daughter also received an offer of admission to the University of Waterloo in system design engineering. This is the most difficult program to get into in Ontario, and I believe also the most difficult in Canada.

I consider this private school gave my child suitable preparation for university. My daughter has been in private school since being two years old, all the way to grade 13, totally away from the public school system. The reason I put my child in private school was because we worried about: (1) Do we have equal opportunity of access to the public school system? (2) In many cases the decisions are made by the individual teacher. If you get a good teacher, you get everything. If you do not get a good teacher, you get nothing. That is totally the opposite, and we have very little choice.

I wish to answer your questions. I'd like to mention that I am an example of a private school parent. I do not need a tax credit. This is an example. I don't know how big that example will be, but I am an example. I do not need a tax credit.

The Chair: Thank you. Mr Orchard, do you want to go ahead with your presentation and we'll go for questions after.

Mr Grant Orchard: Thank you, Mr Chair and members of the panel, and thank you to Mr Marchese for allowing me to speak here.

Others have spoken very eloquently and articulated the implications of the cuts to our public system. I'm not going to delve into that.

I'm a founding member of Citizens Concerned about Free Trade, so we've been involved in the free trade agreement, the NAFTA and the problem with those agreements. I'm also a director of the Toronto-Danforth federal Conservative riding association. I have a certain amount of pride in the history of our federal party, because we brought in public institutions across this country—the Bank of Canada, unemployment insurance, the CBC. Mr Diefenbaker was a strong supporter of our public institutions. He started a system of health insurance payments. Certainly historically, this country has been built on a mixed-managed economy of public and private.

Since the free trade agreements we've seen an erosion of our public institutions in favour of the private sector. Mr Green very well referred to the history of the three principles—free, compulsory and secular—of our system of education that go back to the beginning of the Dominion of Canada.

The question is the same, really, that pertains to what's happening in our health care: Why? What is broken here? This is my question, too, to the government: What kind of research has been done? What has been looked into as far as the effect of NAFTA on the move to put public money into the private sector?

Under the free trade agreement and NAFTA, education is listed as a non-conforming service. The implications of that are we cannot discriminate against foreign companies of the countries signed on to the NAFTA and free trade agreement, so those would be American and Mexican companies. They see an expanding market for education up here. We can't discriminate against them. We have to allow them to come in. Then the American schools have the right—our Ontario private sector schools don't—to lobby and to sue for equal treatment. What they could call the public system, then, is a subsidy.

So I'm wondering, has this been looked into? What are we walking into here by the process of transferring public money into the private sector? Under the national treatment clause, once that has been done—and we saw the experience with the Bob Rae government when he wanted to set up public auto insurance. He was threatened with a multi-billion-dollar lawsuit from State Farm and the other American companies in the field that if he went ahead he'd have to pay a lot of compensation. If we want to reverse this at some point, are we going to be facing these kinds of lawsuits, these kinds of threats? What are we walking into here and what is broken? Those are my real concerns.

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I don't know what is wrong with the public system. There's been a process, and other people have spoken to it: the \$2-billion cuts to public education, the dismantling of our public system in the sense that it's reducing choice, it's making the private school system look more attractive. There could be a possibility now that there's an expanding market there that's open. Others have spoken well to that.

But my question to you is, what is broken, to initiate this transfer of public money into the private schools? What's going to be the outcome? What are we facing under the free trade agreements and NAFTA? What research has been done on that? What kind of consultations—what are we walking into if we allow these American companies or Mexican companies to come in? What are we facing here? Those are the questions and real concerns I have.

Also, others have spoken to the lack of public debate on this bill. I know members in our own party, who have put years of work into the party, who are very alienated by this bill. I warn against the repercussions of this and I also ask what kind of study has been done as far as what we're walking into here.

The Chair: Thank you very much. We have approximately two minutes per caucus and I'll start with the official opposition.

Mr Kennedy: Thank you both for your presentations. Mr Orchard, I'd like to ask you—this is also a Conservative government, maybe a little more libertarian than Conservative in actual nature. The idea of the NAFTA effect: you may be aware, because it's just two pages in this bill, that it's wide open. Any private company can just fill in a three-quarter page information form and become a school in this province. If it is a high school and they want to give Ontario diplomas, they get inspected twice a year. If they don't want to, there are no inspections. In elementary schools there are no inspections whatsoever. So it's an absolute no-barrier entry into the market, I would agree, that has been created by this government. They created the market and now they're going to create the means to have it. There is a possibility they may address some of this in regulations, but the government of the day has said they want parents to have the choice.

Maybe you could comment on it for me. Why would a Conservative government take such a risk with the institution of public education? There is an institution that has served the country well; it has served it remarkably well, I would argue, in the last 10 and 20 years of immense change. A lot of that has been absorbed in there. I know Mr Wong has a view that didn't allow him to have confidence, and I wonder, after you answer that question, if he could tell us what he would like to see in the public system so that he would have more confidence in it for his family. I wonder, Mr Orchard, if you could answer that first.

Mr Orchard: Of course, our concern is NAFTA. You cannot discriminate. Under the national treatment clause,

the American corporations get the same treatment as Canadian citizens for their rights of investing in Canada. They can even get preferential treatment over out-of-province companies and schools. We've called for this, and actually this resolution has passed the federal Conservative Party, that there be a review done on the international agreements. Has this kind of work been done before in the proposition of this bill? You're right: we can't discriminate. Once they are set up here they can demand—and this is the question I would like to ask. Under the free trade agreements they can sue for equal treatment, which means that if the public system gets \$7,000 for students, they can sue for equal treatment. Has this been explored?

This idea that we're saving money by letting the private sector in here, I really question what kind of studies have been done. I'd like to see them. This has to be done. What are we walking into here?

Mr Marchese: Thank you, Mr Wong and Mr Orchard, for your presentations. Mr Orchard, I'm just going to say a few comments in agreement with you and then ask Mr Wong a question.

I agree with the position you put forward with respect to the national treatment clause. We have raised that concern with respect to this government's initiative to introduce for-profit universities in this province. We said to them that that will have implications, but Conservatives don't seem to worry about those areas, nor do the Liberals federally. The Liberals, it appears to me, are the biggest boosters of liberalized trade, and in fact in the next year or two they will probably throw services into the hopper too, as you indicated, which includes education and health. I am equally concerned, as a New Democrat, about what the feds are doing and what these people are doing.

Mr Orchard: I wouldn't let the federal government off the hook.

Mr Marchese: So they're both, in my view, implicated. I hope that Mr Hardeman might attempt to answer your question, which would be good to see.

Mr Wong, the reason you moved your children to the private system is because you were worried about the public system, and you are saying, "I don't want a tax credit, because that's a choice I made, but secondly, money will be taken out of the public system by giving a tax credit." Money has got to come out of the public purse, and you're saying, "Please don't take it out of the public purse to give it to those who make that choice. Improve the public system." That's your position, correct?

Mr Wong: Yes.

Mr Marchese: If you want to comment on that again—

Mr Wong: I think you mentioned my key point already. If you want something to emphasize it or a little more detail on that, then I would suggest that the private school system is already there for over 100 years and everybody can see it, and of course the governing party, this government, also can see it. Why can the private school do better than the public school? What I men-

tioned here is that we want to bring the public school in line with the private school. Whatever they can do, the public school can do the same way as well.

I don't know how much money is involved to improve the public school system, but there is still some way to improve with the money you give to the private school parents, which they do not need. Whatever is there, you still can build it up. I think in 17 years of my experience, and I always feel that, the teachers are working very closely with the parents and also in giving the child confidence to learn. The teacher always comforts the students, saying, "If you have any questions, anything you do not know, any time, it doesn't matter day or night, you can telephone," and the student can reach the teacher.

Now, I was never exposed to the public school system. I don't know whether they have it or not. The correlation between the teacher and student and the parents, that's what I'm saying.

The Chair: Thanks, Mr Wong. I have to go to the government side.

Mr Hardeman: Thank you, gentlemen, for your presentations. I want to discuss a little bit with you, Mr Wong, and I want to say that I agree with you that we do need to make sure that we have a strong public education system in this province. That's why I do think we need to put more money in, and we are this year putting \$360 million more into the education budget to make sure that we support that strong public school system. I wasn't as fortunate as you, I suppose, or unfortunate, however we may put it. My children are and were in the public school system and I'm happy with the results that they have received from that.

In your presentation, first of all, I want to say that I don't think you can totally attribute your daughter's success to the system. It would appear from what you have told us that a lot of that goes to you as a family and to her as a very bright individual who is going to do very well in society. We commend her for that. But because you could afford that—and if we take the assumption in your letter that the independent is a better system, and you could afford it, don't you think it's fair and equitable for other people who want to make that choice but are not as able as you and I am to do that, that they should be given some assistance to be able to provide the type of education they believe is most important for their children?

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Mr Wong: No. I think the people who are sending children to private schools are already prepared. The money has been set aside from their normal spending to put into the private school. I think the money is already there. They don't need the tax credit on it. On the other side, I understand from these public hearings there have been so many people who have complained about why some school systems are getting the tax credit and the others don't get it. I understand there will be not sufficient money to give credits to everyone. If you do not have sufficient money to give everyone, why give to some? I would suggest don't give it to anyone.

The Chair: Thank you very much.

Mr Wong: Because you don't have enough money, don't give to anyone. That is fair to everybody. If you give some to A and do not give it to B, C or D, it's not fair. So many people have said it's not fair, but I would suggest you make it fair. Everybody none.

The Chair: On behalf of the committee, gentlemen, thank you for your presentation this morning.

ANNA GERMAIN

The Chair: Our next presentation this morning is from Anna Germain. I would ask the presenter to come forward and state your name for the record, please. On behalf of the committee, welcome. You have 20 minutes.

Ms Anna Germain: Hi. My name is Anna Germain.

The Chair: Go ahead whenever you are ready.

Ms Germain: Thank you. While I approach this committee today as a lone parent, I assure you that at the very least hundreds of parents across Ontario would sit with me in agreement. Since the government has chosen to name the private schools' tax credit the equity in education tax credit, I will begin with equity in education in Ontario.

Equity would mean that all students receive an excellent education. While it is questionable whether education in a private school is really better, since much of the time teachers are not required to have accreditation, all parents who choose these have a choice between private and public. They have a choice because they can afford it. They also receive federal tax deductions of various sorts. They are not under duress and freely make this choice by virtue of their buying power.

Further, in the US private institutions can freely raise tuitions because there are no restrictions on tuitions in the private school sector. Are there any restrictions on private school tuitions in Ontario? There aren't, and that's unfortunate. It seems that this could provide great incentive to view such schools as big business. Quality would surely suffer as cost minimization becomes the greater goal.

Currently, religious-based schools get hefty credits. I am told that federal tax credits would have to be decreased when the proposed tax credit begins. The results of such tax credits in the US are now denying access and supports in private schools to special education students. I have this documented if you need it. As the numbers grow, the cost of supporting these students is no longer a concern to these institutions, so they simply get rid of them or refuse to take them in. This is illustrated in a recent article from Los Angeles.

Where is the equity in the aftermath of propagating private schools through tax credits? For years I've heard critics say this government would fund private and charter schools while letting the public system die financially. I wondered if this could be. Well, they've got my attention now, I can tell you.

On a different note, I wish to zero in on the proposed plan. Based on a \$7,000 tuition, a tax credit of \$3,500

maximum will apply by the end of a five-year phase-in. Let's take a look at what happens when a student leaves the public system to go to a private school.

In year one, the credit is a maximum \$700—I'm dealing with maximums here. The public board loses \$7,000. The parent at the private school gets \$700. The difference—\$7,000 minus \$700—is \$6,300.

Who gets this \$6,300 that the public board has just lost? The government. Have I stumbled upon something here? The public board loses \$7,000, a family gets \$700, the Harris government gets \$6,300. How clever. How many times will this profit be multiplied? The losers are all the students in the public system, because their education is funded based on the number of pupils in attendance.

Year two of this phase-in plan: a \$1,400 tax credit. The public board loses \$7,000. The parent at the private school gets \$1,400. The difference is \$5,600. This story is simply too profitable, especially as the numbers increase.

In the year 2006, when it's complete, the government profits to the tune of \$3,500, while institutions revel in huge growth that this tax credit has engendered.

As the public system is eroded, or bled, where is the equity? You put "equity" in the title. Where is the equity?

The public system is in trouble financially. Even though government representatives keep making claims of what wondrous benefactors they are to our children's education, the reality is that there is bloodshed in our system. And private schools are absolutely not the solution.

Boards are facing huge cuts again this year: the TDSB, for instance, \$85 million. There are no more closets or toilet stalls to add to the square footage formula. Pools are closing. Books are falling apart. Busing is going. Many good staff have packed up and gone home. The funding formula is a failure. So I guess things are ripe for an exodus, aren't they? But things were not this dismal a few years ago.

I'm going to quote to you quickly from a few articles; I've just selected small passages. If you need the dates, they're pretty much this week.

From the Toronto Star: "More than 3,700 disabled children in Ontario are waiting for special education, up from 3,500 a year ago, according to a report released yesterday by People for Education. 'Things are getting worse,' Dyson says. We don't have enough education assistance. We don't have enough supports in programs, and that's all because costs have risen, there are more disabled children in need, and provincial funding isn't meeting those needs."

Another one: "Public schools need \$1.17 billion, group estimates.

"Ontario would have to spend \$1.17 billion more on education for its public schools to serve all 2 million students equally, so it has no business spending one penny on private schools, says a parents' group.... People for Education state that it would cost \$327 more for every elementary student to set things right.

"And when improvements to high school funding are included, the price tag for a fully supported school system exceeds \$1 billion, the group says.

"Now is not the time"—it is not the time—"to take money out of Ontario's public system and give parents an incentive to leave...." Don't cause an exodus.

Another one: "...School cuts anger crowd.

"Angry and frustrated parents, teachers and community activists told the Toronto District School Board the time has come to tell Queen's Park there is nothing left to cut from the city's public schools."

Frankly, the proposed tax credit would not be so problematic if thousands of parents whose children are in the public system could get the access and services their children need to succeed because they have special needs through no fault of their own.

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Many students are not even in school this year, or have reduced attendance, and I've got plenty of supporting documents here, including about the lawsuits that are cropping up all over Ontario because of the funding formula. I should call it the underfunding formula, because that's definitely what it is.

The funding formula has pitted school boards and their staff against children who have a disability and their families. There is simply not enough funding to go around. Why hurt these vulnerable children? Because that is the result. Lawsuits are cropping up everywhere lately. Where is equity and justice? The government replies that funding has been increased. Do you know what? Until every parent can see that their child is successfully at school, with needed supports and services, in a dignified manner, it does not matter what claims you make because we know first-hand that it's a lie. Any way you slice it, it's a lie. We're tired of it.

For the record, many families, parent groups and representatives have told and written Janet Ecker conveying these serious problems, and she keeps saying that nobody has complained. She'll even tell people who have complained before that nobody has complained. I have evidence to support that here too, and some of it goes back three years. Clearly, parents and vulnerable children are simply a nuisance to this government. How unfortunate for Ontarians.

I am not here for myself or for my son today because he is blessed and has the support that he needs, and he is delighting in his ongoing success right now. But I have paid a very high personal price for this. I am fed up—fed up—of hearing about all the terrible situations around Ontario where the most vulnerable children in our society are being knocked, labelled and injured by the language, categories and devastating and humiliating claims that your blasted funding formula forces on them by any means that can be conjured up, and there is no exaggeration in this. None of it is even about educating them.

The worst that can be portrayed on paper, the more dollars they can generate. Even these dollars are greatly insufficient to meet the needs of these vulnerable, valuable and, yes, precious members of our society. They're

our children, not just files, as they are referred to in too many documents. A society cannot conceivably call itself enlightened when it does not take excellent care of its most vulnerable members. Frankly, Ontario does not score very high.

I have heard so much about the Common Sense Revolution and now all I see are senseless devices and a public education system teetering on the brink of disaster. While this proposed credit is not the cause of this, not one cent should be spent on it until—I emphasize “until”—the public system is brought back to health and all children with special-education needs are adequately supported and receive a real education, not funded baby-sitting and horrific labels; until they receive a real education without this terribly discriminating funding formula. Even the leaders of private schools should have enough of a conscience to realize this is the fair and equitable way that priorities should go.

Someone told me yesterday that if I made even a slight error in my calculations in this committee today I could get crucified. Well, I speak as a parent, not a board or professional organization, and this is my first address to such a committee. So I trust that you will respect that.

Further, I will never back down from doing what is right, whatever the cost. You are my government and you have a duty to protect my child and his education, as well as that of all children. This should not be an issue divided along party lines. Could this government not take the high road and give our children the education that they need and deserve? Clearly you feel that you have the money, or you wouldn't be proposing this. You are just deploying it in the wrong places for now. Do the right thing. Please shelve this credit for now. You have much more important business to attend to.

The Chair: We have one minute per caucus.

Mr Marchese: I thank you for your passionate defence of public education and defence of your own child, whom you obviously worry about and care about. I agree with everything you've said, except put this off for now. My view is that private education is private education.

Ms Germain: I'm trying to be diplomatic here and polite.

Mr Marchese: I appreciate that. I'm just saying to you that I don't think the role of the government ought to be to worry about private education. The role of government and our commitment ought to be how we protect the vast majority of people who are in a public system who have been whacked by this government with \$2.4 billion less, which is my concern, and ought to be the concern of government. They're saying, however, parents want choice, and if they want choice, it should be the role of government to simply help them out. That's what their argument is. What do you say to that argument, that if people choose to send them to different religious or non-denominational private schools it is a choice they make and they should be supported financially?

Ms Germain: It's difficult to answer that quickly. What will pan out, and this I get from your own staff—I got it right from the horse's mouth—is that when or if

this credit takes place the federal deductions and whatever it is that they receive currently would be decreased. The whole mix would be looked at as a whole, and don't think it would be \$3,500 just packed on to the rest of their benefits. Also, what they split between religious and education credits would be changed; they would have to become pretty much all education credits, and the religious component sort of becomes a moot point at that point.

Bless the people who want to go and get that. As I pointed out, teacher accreditation is absolutely not mandated, and who knows what that student is going to graduate with relative to the criteria that have been set up for the public system. I wouldn't want my son to go there even if I had the money—no way—and there are tons of parents who absolutely have the money and don't want anything to do with the private system. So I'm not sure what they're really talking about when they say “choice.” They've got the money; they're able to go. The public system can be absolutely excellent. Just put the money where it should be.

Mr Hardeman: Thank you very much for your passionate presentation. It was very well done. I guess your last comments are the ones that I find very helpful. You've made it a solid point that even if you could, you wouldn't move your child out of the public education system. I can relate to that. My children are in the public education system, and that's by my choice.

We had a presentation this morning by an individual who was running an independent school for totally special-needs children where parents were having great difficulty covering the cost of doing that. The lady who made the presentation was supportive of giving those parents some assistance in paying those tuition costs. Do you see that as a negative to the public—

Ms Germain: Which schools are you referring to? I wasn't here to have the benefit of hearing that presentation.

Mr Hardeman: It's not relevant. It's the Kohai school here in Toronto. But it's not the issue of which school it is. That's a choice that parents make because they think that's the most appropriate way to deal with the education of their children. Do you not see that there's a positive to that?

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Ms Germain: What I could say to that is, having been very involved in education and these types of concerns, I'm a strong proponent that all children belong right in the midst of society, and that means in the schools. Children benefit from being in the regular schools because that's what life is about, that's society. You don't graduate at 21 and, “Hello, society, I've never known you, you've never known me, but let's get along.” It doesn't work that way.

Also, the greatest beneficiary of what I call inclusion, letting the children be in their neighbourhood schools, not segregated way out, busing and so forth, is society. Society benefits by it the most. You would probably find

less problems in the schools with students who would be brought in to even be support to these kids.

Mr Kennedy: Ms Germain, thank you very much for your presentation. The member opposite was referring to the Kohai school, which charges parents up to \$25,000 to look after their children. I guess I would consider that in large part to be occurring when there's failure within the public school system to provide for children with special needs. The interesting thing, of course, is that \$24,000 and \$12,000, which is the range of fees at this school, are exactly the amounts for ISA 2 and ISA 3.

Ms Germain: Isn't it \$27,000?

Mr Kennedy: Something in that order. I think ironically the amount of money being charged here is exactly the amount of money that the government isn't giving.

I know you have this expertise. The contrast here is between a government that makes children such as yours—and I know you know other families—fill out paperwork, mountains and mountains and mountains of paperwork, duplicate, triplicate, assessments. You mentioned something about the negative language that is used to describe them. At the end of the day, that brings no funding to those children. At the end of the day, it's just a process centralized. On the other hand, the government is proposing to give tax credits of the kind you describe, and all your figures have been accurate, to private schools with no paperwork, no accountability, no torturing of the parents to have their kids described. I just wonder if you could add to that?

Ms Germain: I didn't read it, but as I mentioned, in the US they've tried this private schools funding and it has already backfired significantly. If someone wanted to see it, I've got an e-mail from the US. In LA they are actually refusing and pushing children with special-education needs out of there, because in their private schools they no longer want to pay the dollars to support the children. So they're just pushing them out.

The Chair: On behalf of the committee, thank you very much for your presentation this morning.

CHRISTINA MONTES

TATUM WILSON

The Chair: Our next presentation is from Christina Montes and Tatum Wilson. I would ask the two presenters to come forward. On behalf of the committee, welcome. You have 20 minutes.

Ms Christina Montes: My names is Christina Montes and I am representing the Toronto-York Region Labour Council. The labour council represents thousands of workers in the city of Toronto and York region. Our members rely on a strong, fully funded public education system. Public education was set up to allow all parents, especially working parents, to send their children to school. A tax credit does not help most of the parents in the city of Toronto. It is an inequity to students when taxpayers' money will be moved away from the public system into the private schools. The Minister of Education, Janet Ecker, said that \$300 million to \$700 million will

be removed from the public schools. Add this to the fact that the public education system is severely underfunded, and we will see the full destruction of public education.

There are schools without textbooks and without the resources needed to help the children of Ontario. There are not enough teachers; there are not enough educational assistants in our schools. Classes are still large, and there is not enough money for special-needs students. The reason? The underfunding of public education by your government.

I would like to quote from today's Toronto Star:

"The Ontario government has cut \$2.3 billion from school boards over the past six years, a new report charges...."

"Toronto-area schools took a 12% funding cut since 1997, a \$728-million loss, said economist Hugh Macenzie...."

In addition, your own government, in your submission to the United Nations, said that the direction which you are now taking—and I quote from the Tory submission to the United Nations, "It will fragment our society." You have no mandate to fragment society.

There are other major reasons why you should withdraw the portion of the bill that gives a tax credit to private schools. First of all, you have not adequately consulted with the public. Research shows that Ontarians are opposed to the tax credit. You have not done the research that shows that a major shift in educational policy will be beneficial to the children of Ontario, and you will not be able to deal with the fallout. Taxes should be used for the public good.

Let me read to you from the statement of educational policy of the Toronto District Christian High School. It says Toronto District Christian High School, along with other independent schools, "rejects the intrusion of a government-imposed curriculum"—the government may not dictate the content or the religious philosophical direction of that instruction—"only totalitarian governments attempt to invade the minds of citizens."

If we look at Bethel Baptist School, they say, "Most of our curriculum comes from A Beka Books publications ... so that students receive an education from a biblical point of view." A Beka Books is located in Pensacola, Florida, and it refutes the man-made idea of evolution.

I ask you, do these statements represent the people of Ontario? I would say no. What we need is one fully funded public education system where all children can be educated so that our society does not become fragmented, so that we learn to live together and not apart. I ask you to delete the portion of the bill related to the tax credit and consult further with the public as to the direction that we should be taking in public education.

Mr Tatum Wilson: My name is Tatum Wilson and I am here as a concerned citizen and someone educated completely through public education.

I oppose the tax credit for private school tuition outlined in Bill 45. I oppose it for several reasons. First and foremost, I fundamentally believe in a strong and effective public education system that provides for all of

Ontario's children. I recognize that there are people who, for a variety of reasons, don't want to have their children educated in that public system or, for other reasons, would prefer to have their children educated through private schooling. I in no way would try to deny parents that right. However, that right should not be supported by a tax credit like Bill 45 suggests. It is hypocritical to say on one hand that you support public education but then to continue to belittle it by encouraging people to remove their children from it.

I was born and raised in Ontario, right here in Toronto, and started and finished my education in the public education system. As a gifted student in a special-education program, my needs were constantly adequately addressed and met. My fellow students who had other special needs, including learning disabilities, artistic programming, athletic programming or second-language learning, also had their needs addressed and met. There is no reason to believe that I would have had a better education in private school.

Some would argue that public education right now is not as good as it once was. My obvious and initial response to that is to stop the consistent and ongoing attack on education, students and teachers. However, that is not the issue right now. If people are going to suggest that public education is not as good as it once was, the logical answer to that is not to encourage people to leave but instead to encourage people to stay in the system and support it through both adequate funding and support.

All of the above reasons that I've given for why I don't support Bill 45 and the tax credit I believe are adequate reasons to not allow it. However there is one truly important reason why I don't support this tax credit and that is the issue of discrimination. Under current regulations, private and independent schools are not required to follow the Ontario Human Rights Code. As a gay person and as a person of colour, I find this to be a shameful and unacceptable denial of my right as an Ontarian.

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This government claims that the reason they believe in the tax credit is the issue of choice. As I mentioned, as someone who is gay, I am not going to be given the same choice as other people. As someone who might have a lower income, I'm not going to be given the same choice as other people. Finally, as someone who one day hopes to be a parent, my children are not going to be given the same choice as other people.

Currently, I volunteer for a Toronto District School Board publicly funded program called Speak Out. This is a program that involves going into Toronto public junior high schools and Toronto public high schools to do anti-homophobia workshops.

While I do value and appreciate the diversity that already exists in our public schools, clearly, through my experience both in school as a student and through the workshops I run, there is still a certain level of discrimination that goes on in our public schools based on a variety of issues. This is in a system that has a clearly

written anti-discrimination code that is meant to not allow this stuff. What would be left of gay students in schools that will either not allow them or will teach them that all of their experiences are unnatural and immoral? This is not choice and this is not fair and this cannot be supported by a government that is claiming to have the best interests of students in mind.

In closing, I would like to stress my belief in our public education system. I realize that it is currently flawed and that it is not without its problems. However, I would implore this government to abandon the idea of a tax credit and instead to choose to adequately fund our public education system and make it so that people don't feel the need that they have to leave.

Thank you very much for this opportunity.

The Chair: Thank you. We have a couple of minutes per caucus and I'll start with the government side.

Mr Stewart: Just a comment. I can appreciate your concern about discrimination. Unfortunately, it does run rampant in some areas, not only in this province but maybe around the world. You talk about discrimination, yet you don't want any tax credits for private or religious schools. Isn't that a type of discrimination as well?

Mr Wilson: No, I don't believe that's a type of discrimination when you have the greater goal of public education in mind. I believe in the right of people to send their children to private school. I don't think that is the problem. They should obviously have that right. However, in a program that is by and large going to be supported by this government that I'm supposed to feel comfortable with, I have trouble believing that they are willing to support people who are looking to teach their children, regardless of what their choice is, that my lifestyle, what I do, what children are doing, whatever, is wrong, is immoral. It's a matter of choosing whose choice is more valuable, and I don't believe that choice supersedes my right to live freely and believe that my government is supportive of me as a person.

Mr Stewart: I don't think it does either, and I can assure you that in my riding—and I can name the names: the Rhema Elementary Christian School, which is from the Dutch community, Montessori, Grace Christian Academy—they do not teach discrimination. What your lifestyle is, is entirely your business, and I appreciate that.

But I guess my concern is that on the one hand you're talking about discrimination here—

The Chair: The question, Mr Stewart, because you are just about out of time.

Mr Stewart: —and on the other one you're asking for discrimination against the other people.

The Chair: Thank you. I'll have to go to the official opposition.

Mr Dalton McGuinty (Leader of the Opposition): Thank you for your presentation today. I think perhaps the greatest mystery connected with this policy development is why the government is doing this. They made very compelling and cogent arguments for a number of years against doing this kind of thing. Mike Harris said

during the course of the leaders' debate in the last provincial campaign that he would not do this. He wrote to me in January of last year, as did the Minister of Education herself, saying that this kind of policy would tend to fragment and weaken public education. They made very compelling arguments before the UN, in a thick legal brief, saying this was not a good idea, that it would cause harm not only to public education but to our society at large in much the same way you talked about here.

Any insights that you might share with us, or speculation even, as to why the government is doing this?

Ms Montes: I believe that you have to look at two things. You have to look at the underfunding of education along with the tax credit and voucher. The reason I say it's a voucher is because usually in a voucher system they give you the money up front; here they're giving you the money later. It doesn't matter when you get the money, it's still technically a voucher. So what does all this lead to? First of all, you underfund education; that means it has no money. With a voucher, every time a student leaves the public system, \$7,000 is taken out of public education—further underfunding. If you underfund the public system so much that it cannot deliver quality public education, that's why I said the public system will be destroyed. And what will we have in Ontario? A voucher system with private schools, which is where I think this government has always wanted to go and where it is going right now. That is not fair because they do not have any mandate to do this.

Mr Marchese: Thank you both for the presentation. I have a curious question that I've been asking from time to time, because Mr Flaherty came here the other day and said that he's heard from people who want their own education in their own culture and religion. I was taken aback by that wonderful feeling of responsiveness to these communities that I guess have been left out or hurt. I put that in the context of wondering, if he is so concerned about those communities that have been asking for their own education in their culture and religion, why he wouldn't worry about the fact that we're losing our heritage language programs, the international languages program at the Toronto board, which teach language and culture. They got rid of the \$750,000 that went to ESL from the Ministry of Citizenship. They got rid of the Welcome Houses that receive new immigrants so they can better prepare themselves to live in this society. They have gotten rid of the Anti-Racism Secretariat that deals with issues of anti-racism. They got rid of any reference to issues of equity in the new curriculum changes that they brought about. Equity doesn't appear anywhere. They also got rid of employment equity that would often deal with some often discriminatory things that have happened to various communities in Ontario.

In light of that, what happened that this government all of a sudden says, "People have been talking to us and they want their own education so they could have their own culture and religion"? What do you think happened that they would do this, while all along, in practice, they've been eliminating anything that deals with issues

of fairness and equity for so many of our communities? Do you have a sense of why they might have done that?

Ms Montes: My personal belief is that they have done this because they are low in the polls and they don't think they're going to be re-elected, so they're trying to find votes and say, "Let's get some votes from the religious community." If you look at the polls, they're way down there, so where are you going to get the votes?

The Chair: With that, we've run out of time. On behalf of the committee, thank you very much for your presentation this morning.

B'NAI BRITH CANADA

The Chair: Our next presentation this morning is from B'nai Brith Canada. I would ask the presenter or presenters to come forward and state your names for the record. On behalf of the committee, welcome. You have 20 minutes for your presentation this morning.

Ms Toni Silberman: Good morning. My name is Toni Silberman. I am senior vice-president of B'nai Brith Canada and chair of its League for Human Rights, Ontario region. I am joined by John Syrtash, chair of the B'nai Brith Canada Commission on School Funding; Georganne Burke, member of both the League for Human Rights and the funding commission; and Aaron Blumenfeld, who is a member of the funding commission.

I would also like to indicate to this committee the full support of our organization for equity in education funding, as evidenced by the presence of our national president, Rochelle Wilner, and our executive vice-president, Frank Dimant. We all coincidentally have or have had children in the Jewish day school system and will be happy to respond to any questions you have on our presentation.

B'nai Brith Canada is the senior Jewish organization in Canada representing the Jewish community, with a history in this country of 126 years of community service, voluntarism and advocacy. Our League for Human Rights is considered to be Canada's foremost human rights agency dedicated to combatting anti-Semitism, bigotry, hate and racism.

On their behalf, I thank you for the opportunity to address this issue so vital to members of our community and to all Ontario's school children. Many of our constituents have children in independent Jewish day schools, and those of our members in sister provinces, have, with the assistance of their provincial governments, long enjoyed the economic relief and freedom necessary to convey their heritage to their children—assistance which does not, I might add, affect the system of public education in their respective communities.

We laud the Ontario government's initial gesture to recognize the need for similar financial relief, and are pleased to lend our support to these efforts. They are, we feel, entirely consistent with the Premier's promise to our, and other, faith-based communities to explore possible avenues for ensuring equality in education funding. Even certain political party leaders have themselves

stated they are not philosophically opposed to assisting denominational schools.

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What I would like to do in the brief time available is address just a few of the canards, the mythology, that has accompanied this reasoned and just movement toward educational equality and school choice. Critics of the proposed tax credit for independent schools have over the past weeks tended to reduce serious discussion of the substantive issues to the level of emotion, demagoguery or ad hominem attacks.

When myths go unchallenged, they begin to gain currency in the press and among members of the public. As we view it, the purpose of this tax credit is to return all children to a level playing field, with parents of all colours, socio-economic levels, classes and faiths being able to choose from among the widest range of schools possible, to provide the kind of education that responds to the needs of Ontario's children.

Myth number 1: Public schools are the only institutions transmitting our democratic values, and they alone foster tolerance and anti-racist attitudes. The corollary to that myth is that private and denominational schools foster racial segregation, cultural divisiveness and social fragmentation.

Tolerance is defined as "the capacity for or the practice of recognizing and respecting the beliefs or practices of others" and "a disposition to allow freedom of choice and behaviour." Tolerance manifests itself in many ways, such as racial integration, religious freedom and, yes, school choice. Several key studies have been done in recent years comparing the development of tolerance and strong civic values in both independent and publicly funded schools.

It is true, the ideal of the public school, where students learn respect for their fellow citizens by mixing with students of different backgrounds was, and continues to be, central to the justification of the public funding of education, bringing together children of widely differing social and economic strata, rather than developing an elitist ethos. These schools are held up as the great leveller.

However, studies on this subject, which we will provide to members of this committee, along with our expanded brief, suggest that in reality public schools are not the unifying institutions in our society. The fact is that many public schools are already segregated, both racially and economically, based on community demographics. On the other hand, a mounting body of evidence clearly demonstrates that far from being segregationist enclaves, private schools, on average, are better integrated than public schools, help reduce the socio-economic achievement gap and help increase the level of integration between racial and socio-economic groups within their schools.

It follows, then, that expanding access to private schools is likely to improve integration in education, and not lead to race wars, ethnic cleansing and genocide, as some critics purport.

An ancillary myth to this is the belief that tax credits to independent schools will result in "skimming" the best and brightest students for their schools. However, the concept of "creaming" or "skimming" applies more aptly to the current funded regime. As things stand now, it is predominantly those who are better off, who can choose freely, who may "cream" their children from one public school to another, while other, less fortunate students are left behind.

As well, within the public school system, the wealthier school districts inadvertently promote segregation by only accepting the privileged students who live within their boundaries, or within the artificial attendance areas which the district itself has created. Private and denominational schools have no geographic limits to attendance, thus ensuring a more representative cross-section of students.

Private schools, especially faith-based schools, transcend political and neighbourhood boundaries to gather a more racially and financially mixed student body, as opposed to the geographic criteria which tend to reinforce segregation. Better integration leads to better race and ethnic relations, which promotes greater tolerance and harmony. In truth, racial and ethnic conflict and fighting is more of an issue in the public schools than in the private schools. Racially diverse schools prepare students to compete in a racially diverse world.

Private and denominational schools have a long history of promoting civil obedience, social justice and charitable works, and creating good, solid citizens who are respectful of their fellow human beings. They can boast long lists of distinguished alumni in many diverse occupations such as lawyers, doctors, accountants, union leaders, teachers—indeed, virtually every occupation—who integrate widely into Ontario's social fabric and working world. And here I cite as examples Professor Irving Abella; Irwin Cotler, member of Parliament; the Reichmann family; and Mr Justice Sam Filer.

Myth number 2: The provision of funding to independent schools is tantamount to a voucher system which will decimate the public school system. The tax credit proposed does not represent, as some have suggested, a fundamental change in education, nor does it necessarily raise the spectre of the dreaded V word. Memories are short, because educational choice is not an alien phenomenon to this province.

You may recall that there was once a time when attendance in a public school was rigidly restricted to that institution which was around the corner, within walking distance, part of the neighbourhood. Over the past 30 years or so, beginning around the time I became a teacher, demographics changed, interests changed, needs changed and the successive Ministries of Education responded. Initially, this change allowed for a 5% buffer, that is, 5% of a particular school's population could come from outside the neighbourhood. This concept was eventually expanded to a board-wide basis, so that any child was allowed to attend any school within that board's jurisdiction. And parents made their choices.

Some transferred to schools which could maximize their child's theatrical, musical, scientific or athletic talent; others, to schools which could address their child's special needs. This movement was, and is, officially sanctioned and fully subsidized.

Are the religious and cultural imperatives which determine where a parent sends a child to be educated, in order to support—and I quote Madam Justice Claire L'Heureux Dubé of the Supreme Court of Canada—"the educational practices necessary to ensure future membership in these faiths," any less meritorious?

Further, parents have always exercised school choice, as parents buy or rent property in a school district according to the public schools available in that district, ie, where the quality of public schools is high.

The tax credit proposal does not yet represent full choice, and it is not a tuition voucher. We view it, quite simply, as the first step in recognizing, consistent with the United Nations Declaration of Human Rights—to which Canada is a signatory and thereby, through extension, so are its provinces—that all parents have a right to choose which system of education best suits the needs of their child. It is providing parents with a small portion of the public education funding they already pay through their taxes, to allow their children to attend the school of their choice. Such a system empowers the family and, rather than reducing accountability, infuses the system with consumer accountability.

Myth number 3: The tax credit would cause an avalanche of applications, a veritable mass exodus from the public school system in favour of independent schools. This can be responded to on a number of fronts.

First of all, there is absolutely no evidence in any jurisdiction in Canada, or for that matter anywhere in the world, of mass exoduses from the publicly funded system upon funding of alternative independent or religious schools. In Canada specifically, in those provinces where other schools have been funded, fully 90% to 96% of students remain in the public school system. That is because the public schools in our country by and large meet the needs of its children. That will not change as a result of this initiative.

It is true that the independent schools reach out to children who do not benefit from the public school system. But that's OK, because the goal is to do what's best for the student, not the school system. To assume that students will run for the exit doors if given the chance is, in truth, a sad and damning commentary on what critics of the proposed tax credit really think about our public schools.

Secondly, and with all respect to the government, 10% of a portion of the tuition is not that extensive. For those with children currently enrolled in the public school system, even the promise of a tax credit of \$3,500 in five years' time would hardly be adequate incentive to go from paying absolutely nothing to paying a tuition of anywhere from \$7,000 to \$15,000 in after-tax dollars.

With regard to denominational schools, this is, as I have indicated, not a matter of choice, but rather religious

imperative. Those who need to send their children to denominational schools because of the tenets of their faith are already doing so, despite the sometimes ruinous financial burden.

Make no mistake: the proposed tax credit is not a ruse to subsidize only the wealthy. The mean income of parents of denominational school-children is virtually identical to their public school counterparts, according to socio-economic measures. The difference is that denominational school parents are severely handicapped and penalized because of the high cost of tuition.

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Myth number 4: If independent schools are subsidized, the public school system will not be able to withstand the resulting market-driven educational system. The public school system has long held a monopoly on where and how students can receive schooling at public expense. It does not have to compete for a consumer base, and therefore has no real incentive for success and no real consequence for failure.

But deepening dissatisfaction with traditional public schools has changed the landscape. There are those who believe the public system would do better if it had to compete for customers. Experience in other jurisdictions has demonstrated that the expansion of public funding has served to motivate the mainstream bureaucracy to provide programs and curricula to attract diverse segments of the school-going public. Studies have also shown that the competition between private and public schools decreases racial and income segregation and increases school productivity and student achievement, that these achievements do not require higher spending and that there is no evidence that it increases creaming or skimming.

Nobel Prize-winning economist Milton Friedman offers the following: "Only a truly competitive educational industry can empower the ultimate consumers of educational services—parents and children."

Competition encourages new methods of teaching, as well as new types of educational institutions. Freedom of choice and the rules of the marketplace are guarantees against the shortcomings and inefficiencies of a public system.

Some critics within the public school system are motivated by the challenge to their bureaucratic power posed by the perceived threat of choice, or their jobs as union leaders or teachers. Others are motivated by misunderstandings and misplaced concerns. Most of these arguments are spurious and stem from a lack of knowledge of the facts, or irrational fear and intolerance.

Ironically, many people who oppose the tax credit proposal—to wit, school choice—have themselves chosen private or faith-based schools for their own children. If the public school isn't good enough for their children, why should it be good enough for anyone else's?

Mr John Syrtash: My name is John Syrtash. I'm chair of the fair funding commission for B'nai Brith. I just wish to conclude with these words:

On June 12, 2001, the day before yesterday, we witnessed a barometer of real hatred and intolerance. It did not come from any graduate of the independent school community. It came, rather, from those who wish to muzzle democracy and intimidate the Minister of Finance. It came from those who wish to stomp on the right of parents to choose the value system most appropriate for their children without severe financial burden. The riot, sponsored by the Ontario Coalition Against Poverty, is a tyrannical attempt to terrorize this Legislature. It is deplored not only by B'nai Brith Canada but by all the communities who foster tolerance in both the public and independent schools. The true intolerance lies with those who oppose such tax credits, and this riot only proves how irrational some of those individuals and groups have become. We applaud this government's refusal to be cowed by such violent tactics, and offer our heartfelt support for the government, for Mr Flaherty, the MPPs here and the young workers at Mr Flaherty's constituency office who were the victims of this intolerance.

The policy objective of the tax credit bill is to provide some public funding to parents who, in conscience, cannot place their children in the secular public schools or in publicly funded Roman Catholic schools. This is an effort to reduce the reality of discrimination in the form of the education funding regime.

Freedom of choice is not a privilege, but we feel it is a right conferred by the Charter of Rights. It is the fundamental right of parents to direct the education and upbringing of their children, yet it appears that the public education lobby worries that a freer approach to schooling would empower parents. How paradoxical. They therefore take the position that parents are incapable of and not to be trusted with making informed decisions for and about their children's education. Proponents of imposing public education on all appear to be more interested in fighting to preserve an inequitable status quo than in fighting to create equity for all children. Yet the recent National Post poll clarified that the majority of Ontarians support this legislation and the right of parents to choose.

By implementing the tax credit proposal for independent schools, the government is not introducing school choice, but it is merely making it more possible for parents to make such a choice. It is allowing parents to find learning environments that maximize learning for their children, and it must trust the parents to make the right decision for their children.

Respect for diversity and pluralism, for the individual and common good, is a cornerstone of a good education. Public education should not merely be what goes on within the walls of a publicly governed school. It should be the public's responsibility to educate all our children, whatever their needs are.

I just wish to add in conclusion that our community's ancient sage, Rabbi Hillel, quoted from the Jewish Bible when he said: "Zek Kallal Gadol haTorah, 'V'eya Havta Lerayacha Kamocho'." This means, "This is the greatest rule of the Torah: you shall love your neighbour as your-

self." We are called upon to love our neighbours and our neighbours' children as ourselves. Distinguished members of the Legislature, this is all we ask of you. Thank you very much.

The Chair: We have one minute per caucus before the bell goes. I'll start with the official opposition.

Mr McGuinty: Thank you very much for your presentation.

The government would portray this policy as a sincere effort to address the fairness issue. I don't believe that's what the government is all about in this. Tell me, what is your opinion with respect to the tax credit, as the government calls it, being afforded to those who send their children to secular schools or even to for-profit secular schools? Why and how is that part of a fairness solution? If you don't support that, then that's fine too.

Mr Syrtash: We believe that the policy of the government, if we understand it correctly, is to give parents a choice, and we know that there are not only members of faith communities but people who wish to send their children to other schools, whether they're special-needs schools or different types of independent schools, who do so for various reasons. It's very difficult to pigeonhole one parent or another. I believe the government's policy, which we support, is to give parents a choice. The idea of some kind of a means test or some such thing would be completely antithetical to giving parents a choice, because it really depends upon the child's needs in any given situation.

The Chair: Mr Marchese.

Mr Marchese: Thank you for your presentation.

There are many questions I probably would be asking, but within one minute—it struck me on one of the pages—it's not numbered—where you say, "The public school system has long held a monopoly on where and how students can receive schooling at public expense. It does not have to compete for a consumer base and therefore has no real incentive for success and no real consequences for failure." It's a bit damning, that comment, I think, in terms of what you're suggesting. What it says, therefore, because of it is that the private schools of course do a better job. You say that, "Studies have also shown that the competition between private and public schools decreases racial and income segregation"—I'd like to see some of these studies, by the way, if you have them—"and increases school productivity and student achievement." They're interesting studies, and I would have liked to have commented on that, but the damning remarks about the system having no real incentive for success nor real consequence for failure strikes me a little bit. If that were the case, my objective as someone who supports the public system would be to say, "We've got to fix this, and we've got to do it now." Are you worried or concerned about that at all?

Mr Frank Dimant: Of course we would support your contention and conclusion that the public schools—

Mr Marchese: It's not my conclusion, it's yours, but I'm saying if that were so—

Mr Dimant: No. You came to the conclusion that public school systems should be enhanced and improved, and by all means we certainly support that notion. But by the same token, we are saying that the system of independent and denominational school systems may in fact move the public school system to reflect more effectively on the manner in which it's providing services. I think in a democratic society where we appreciate a variety of institutions and exchanges and possibilities for differing opinions, this will add one more dimension to our wonderful democracy.

Mr Marchese: It's almost like moving to a private health care system and that that kind of competition would be good for us.

Mr Dimant: I now think you're jumping.

Mr Marchese: I don't know.

The Chair: We have to go to Mr O'Toole, because we're going to run out of time.

Mr O'Toole: Thank you very much for your presentation this morning. It does add some credibility and authentic representation of the historic struggle that you've defined here.

I want to put clearly on the record that the Leader of the Opposition, Mr McGuinty, has had three positions, at least, of which you cited one, "I'm not ideologically opposed," in writing. You can't have it both ways.

Mr Bryant respectfully said, "I can't suck and blow. I've got to support this."

Mr Kwinter, and I respect his great experience here, and his integrity, said, "I'm not thrilled with the idea," but in many ways he's supportive of it.

What I'm saying to you is that it takes courage to make a difference. I think you summarized it quite respectfully in your presentation where you talked about maintaining the current system: "If the public school isn't good enough for our children"—

The Chair: Mr O'Toole.

Mr Kwinter: Mr O'Toole, I just want to correct that. You give the impression that I'm not thrilled with the idea of what the government is doing. That's not what I said. You just misquoted me.

Mr O'Toole: You've interrupted, and I'll clarify that on a point of order.

The Chair: Mr O'Toole, you must pose your question, because the bell is ringing.

Mr O'Toole: My question is, do you think that preserving the status quo is preserving the inequity that you speak to?

Mr Dimant: Absolutely. We're in total conformity with that. The status quo is inequitable, full stop.

Mr O'Toole: On a point of order, Mr Chair: In respect to Mr Kwinter, I would like to cite for the record, "I'm not thrilled with the idea of saying we're going to repeal it"—the tax credit. That was in the Toronto Star on May 12, 2001.

The Chair: Thank you, Mr O'Toole.

On behalf of the committee, thank you very much for your presentation.

I must apologize to the next two presenters, because we are somewhat late, but we will come back right after the bell to hear your presentations. If you'll bear with us, we'll be back in about five to 10 minutes at the most.

We will recess until after the vote.

The committee recessed from 1201 to 1210.

ISLAMIC SOCIETY OF NORTH AMERICA, CANADIAN CHAPTER

The Chair: I'd like to get your attention. We'll bring the committee back to order.

Our next presentation will be from the Islamic Society of North America, Canadian chapter. I would ask the presenters to state your names for the record. On behalf of the committee, welcome. You have 20 minutes for your presentation.

Interjections.

The Chair: Mr Hardeman, could you have the discussion outside, please?

Go ahead, sir.

Mr Muhammad Khalid: My name is Muhammad D. Khalid. With me is Deena Thakib.

Good afternoon, Mr Chairman, and honourable members of the committee. Thank you for giving us the opportunity to make a presentation to you today.

My name is Muhammad D. Khalid. I'm the director of education for the Islamic Society of North America, Canadian chapter. I'm also a director of Ontario Parents for Equality in Education Funding, OPEEF for short. My colleague Robert Samery, who is the president of OPEEF, has already made a presentation to this committee on Monday, June 11, 2001, and I fully endorse the brief which he gave here.

With me this afternoon is Deena Thakib, a past student of ISNA Islamic School in Mississauga. I will be sharing the presentation with her. She will give you her perspective on attending a religious school and what it meant to her.

The Islamic Society of North America—Canada is a grassroots umbrella organization representing Muslims in Canada. ISNA Canada has been involved with other multi-faith groups such as Jews, Sikhs, Christians, Hindus and Greek Orthodox for equal funding of all independent schools in Ontario. ISNA Canada operates a couple of schools and has a liaison with most of the other Muslim schools in Ontario. There are currently 27 Muslim schools in Ontario, with a total enrolment of between 2,500 and 3,000.

The announcement of the refundable equity in education tax credit was widely praised by the independent school community because it shows the welcome support of the government of Ontario for parental choice in education. This credit is a constructive step toward equity in parental choice. We commend the government, the Premier and the finance minister for this bold and courageous step.

The news release explained the policy rationale for the legislation: "The equity in education tax credit would

assist parents who want their children educated in their religion and culture but find the cost of sending their children to independent schools prohibitive.... The equity in education tax credit puts the needs of parents and students first by offering choice to parents who want their children educated in their own culture and religion."

The fact that the credit is to be refundable is a very strong signal that it is meant to benefit the supporters of our schools who are less wealthy and who sacrifice greatly to enable their children to attend. Our supporters are parents whose strong religious convictions compel them to do so. We are grateful for this recognition.

The government, by providing this tax credit, has recognized the United Nations Universal Declaration of Human Rights of 1948, article 26, "Parents have a prior right to choose the kind of education that shall be given to their children"; and the United Nations Declaration of the Rights of the Child (1959), principle 7, para 2, "The best interests of the child shall be the guiding principle of those responsible for his education and guidance; that responsibility lies in the first place with his parents."

Second, the Ontario government, by the provision of this tax credit, has partially provided a remedy for the UN Human Rights Committee ruling in November 1999 which held Canada and Ontario in violation of the International Covenant on Civil and Political Rights by providing funding only to Catholic schools.

The tax credit fits in very well with the initiatives this government has undertaken to strengthen the role of the parents through the Ontario Parent Council and the school councils in each and every school. The government has also extended the choice of a public school to parents.

It is alleged that the tax credit will benefit the rich and wealthy parents who send their kids to elite schools such as Upper Canada College. This is an objectionable but convenient political myth. The plain fact is that most parents who send their children to independent schools are of modest means. Members of our organization make very serious financial sacrifices to do so based on their conscientious views that their religion, culture or language demands nothing less. They forgo many other worthwhile uses for the money, such as RRSPs, vacations or paying off mortgages or loans.

The policy objective of the tax credit is to provide some public funding to parents who in conscience cannot place their children in the secular public system or in the publicly funded Roman Catholic schools. This is an effort to reduce the reality of discrimination in the current education funding regime.

Since the announcement of the tax credit there has been a constant barrage of criticism from different quarters. The criticism has revolved around a few important issues. I would like to deal with two of them: that the tax credit will lead to a mass exodus of children from the public system to the private schools; and that school choice will fragment society, and will lead to segregation. Let me deal with these points one by one.

(1) The notion that the tax credit will lead to an exodus of children from the public system is not supported by actual experience. In Alberta and British Columbia, for example, over 90% of all families choose the public system in spite of government funding for a variety of alternatives. This percentage has stayed relatively constant over the last many years. The vast majority of families are not getting away from something as much as they are seeking a pedagogical or religious framework for the education of their children.

Establishing a school which meets the standards of literacy, numeracy and civic-mindedness is no small task. This tax credit will be given to the parent after the parent has already spent the money. Most of the parents who send their kids to private schools have a hard time to come up with the money up front.

(2) The argument that school choice will fragment the society is not supported by any facts. It has not happened in all the jurisdictions that have provided any funding to independent schools.

Let me give you the story of my own family. My wife and I have four children. The first Islamic school was established in 1983 by ISNA in Mississauga. At that time, my first two children were going to a public school in grades 3 and 2. I realized that what we were teaching them at home was not reinforced at school. My wife and I made the decision to transfer the kids to the Islamic school with a substantial financial commitment which would span the next 15 years.

My children participated in all sorts of sports in the community, such as soccer, skating and swimming. When they were participating in these sports, they were not exclusive to the children from their own school. Our oldest boy graduated from the Islamic school after finishing grade 8 and went to Oakville Trafalgar High School for his high school, since our community could not afford a high school of our own. The other three children followed in his footsteps. Our children had absolutely no difficulty in relating to other children in the public school. They had no identity crisis. By high-school age they were well-grounded in their faith and culture. Our oldest boy is now in third year medicine. My daughter just finished teachers' college and is going to be a math and science teacher in a public high school. She wants to be a mentor and a role model for all kids in general, and Muslim children in particular. Our second boy has just finished first-year university at the University of Toronto, and our second daughter is in grade 12.

1220

The cost of sending our kids to non-funded school is that we won't have the retirement others will, we could not take the vacations others have and our kids have not been able to keep up materially with others. Is this fair in Ontario? My story, by the way, is not unique. There are countless stories of the same nature.

The children who graduated from our school have gone into many professions, such as law, pharmacy, engineering, communication, high tech, journalism and teaching, and are becoming productive members of

society. Think about the children from the Jewish, Christian and Sikh schools. Where do they go after graduation? They are in all sorts of professions and doing rather well. Are there any studies that show that these children had difficulty getting along with the graduates from the public system? These are pure myths, may I add, perpetuated by the opponents of the tax credit.

It is noteworthy that the honourable Leader of the Opposition is a product of the religious-based Catholic school system, and he is a productive member of society and has not fragmented society. The Catholic system has been in place for more than 150 years, and it has not fragmented society. It is ironic that the Leader of the Opposition got his education and his children's education through a religious-based system, fully paid for by the state, and he is vehemently opposing the same right to other religious minorities. For him, "justice" is spelled "just us." What would you call this stance?

In closing, the equity in education tax credit recognizes that the status quo is no longer tenable, because it gives parental choice to only those who want secular public schools and those who want Catholic schools. A single, publicly funded system of common schools was never tenable in Ontario. The equity in education tax credit recognizes that such a system is even less tenable in the future, because it would not adequately accommodate parental choice in the education of children.

Ms Deena Thakib: Mr Chairman and committee members, I thank you for allowing me the opportunity to address you today about my personal experience in an Islamic school.

At the young age of six, my parents felt that I, as their daughter, was not thriving in the public school system. My parents, who were active in my education, were in and out of the school on a daily basis, meeting with teachers, parents and the principal. I simply was not thriving. Then they heard of an Islamic school that opened in Mississauga. We lived in Toronto at the time, but my parents insisted that they pay a visit to the school. Soon enough, they decided to pull me out of public school. To my teachers' and my principal's disappointment, my parents insisted that they knew their daughter better than any education official and that this would be something different and something new for me to try.

In the first couple of months at Isna Islamic School, I was far behind my classmates academically. I didn't go out for recess because I had to catch up, and my teachers, who were and still are embarrassingly underpaid and overworked, dedicated every school day to ensuring that I progressed.

Being a first generation Canadian and growing up in an Egyptian household, for the first time I felt less different from my classmates. I felt comfortable. My mom no longer had to pack me a separate lunch on hot-dog days for fear that I would eat pork, and my parents, who were struggling to make ends meet as new Canadians, could finally relax.

My education was further enriched at Isna by the fact that my classmates were from all over the world. They

were from Pakistan, India, Sudan, the United Kingdom and so on. In fact, my two best friends today are Pakistani Canadians, and we met at Isna.

What brought us together was that we knew we were all young Canadians—young Canadians who needed to be in an environment where household values were strengthened at school. Together we were able to figure out what being a Canadian Muslim meant, what my duty to my country was and what my country owed me in return.

Despite our differences at Isna, despite our diversity as Canadians or our multiculturalism, we all generally lived by the same laws, ideas, knowledge, symbols, customs, goals and aspirations. I could excel academically without having to worry about fitting in or explaining my bizarre behaviour to others. I confirmed this when, after grade 8, my parents found no Islamic high school to place me in and decided to put me in Holy Name of Mary, an all-girls Catholic school. I used my strong foundation at Holy Name to educate others about Islam and about my private school while I learned about Catholicism. At Holy Name, teachers and students always respected my religion and were impressed that I was educated about Islam, and I took a very active role in the school. Today, I know my identity as a Muslim Canadian was built in a full-time Islamic environment and by parents who never believed that God should be taken out of the curriculum.

As we grew older and I got myself into more trouble at Isna Islamic School, I remember asking my father to pull me out because it was costing him too much money anyway. Until this day, I will never forget his response: "If I have to sell everything I own, including the shirt that I am wearing, to keep you where you are, I will do so." Thank God my dad didn't have to sell his shirt, because every year at Isna Islamic School I lost classmates whose parents were no longer able to afford rising fees.

Despite our limited resources at Isna, namely, we didn't have a library until the end of my term, or a science lab, today all of my classmates, without exception, have gone on to pursue post-secondary education. They have gone on to the best graduate schools in this country. I can't stand before you and state that they would not have gone on to law schools, med schools or teachers' colleges without a private school education, but I can guarantee you this: if we were isolated or unable to integrate into mainstream society, we would not have succeeded in our higher level education. Speaking with many of them, I know they entered the public education system with confidence of who they were. A strong foundation with a strong sense of identity meant that we could focus on our similarities with others as opposed to our differences.

As a future journalist and as an Isna Islamic School graduate, I ask this province to allow parents like my parents to make choices that will ensure everyone is an equal partner in a truly pluralistic, multicultural and democratic society.

Thank you for taking the time to listen to me.

The Chair: Thank you very much. There's no time for questions, but on behalf of the committee I certainly

would like to thank you for your presentation this afternoon.

SHARON BAR-DAVID

The Chair: Our next presenter is Sharon Bar-David. I would ask the presenter to step forward and state your name for the record. On behalf of the committee, welcome. You have 20 minutes.

Ms Sharon Bar-David: I'm just having my support group coming to sit next to me: my husband and my friend. First of all, thank you so much for inviting me. I was thinking how blessed I am to live in this country, where a regular, ordinary citizen like myself can be invited, albeit with less than 48 hours' notice, to speak about my experiences. I'm not here to represent anyone; I'm just a parent and a person. I don't have extensive written notes like everyone else. I'm going to talk sort of from points. I guess I'm here to support the proposed change to the state of affairs and in fact ask, if there's any room for more, to actually do it faster, more, whatever.

I'm a Jew. I'm married to a Jew. I have a six-and-three-quarter-year-old daughter, and she goes to the Toronto Heschel School. I don't know if any of you saw on Monday a program on *The National* on education. Did anyone see it? It was her school that was featured. I didn't see it, but I heard that the telltale head coverings were there.

For the last three years, which is the amount of time my daughter has been in the Jewish system, since she was in JK, I've had this ongoing, increasing sense of discomfort, of upset, of rage, of disappointment at basically looking around me and seeing Catholics who are my friends being able to have access to public education, people who speak French, and I, who also pay, just as anyone else, for the public system, when it comes to actually enjoying the fruits of my taxes or anything of that sort, am excluded. Then the UN decision came, and I just felt, exactly. There's something wrong here. There's something discriminatory about the fact that because, in my case, I am Jewish, because I prefer to send my daughter to a faith-based school, I cannot get what comes by right to others, namely Catholics. In no way do I say they shouldn't get it, but I think everyone should be included.

1230

To me, we all have prejudices internally, we all have biases internally, we all have pictures that we carry. I'm sure the minute I said, "I'm a Jew," a picture comes forth. It might be multi-dimensional, it might be fantastic, it might be negative—we all have these things that we ongoingly struggle with internally. But when the discrimination is right there in the legislation, that's wrong; that's shameful. It's one thing if we do it, if we struggle not to be discriminating, if we struggle not to be discriminated against, but this is the legislation, currently, that to me discriminates against me personally. That has been my experience. As I've looked around since the UN decision, I'm saying, "Where is this government?" Great, it's being done now, but how come whenever that deci-

sion was made, the change wasn't made immediately, or before?

Let me tell you more about me and my husband. We're both social workers. So in a way, just like anyone around this table, we're trying to change the world. We're trying to make this world a better place. I think that probably everyone around this table—my friend is also a social worker; woman abuse is her field. So I think we're all trying to do the same thing. Unfortunately, in the case of social workers, that's not highly paid, especially, in our society. I've been trying to not work full-time, to have flexibility, so I have three or four different things I do to bring in a modest income.

When our daughter went into the Toronto Heschel School, the first thing we did was rent out our basement. The second thing we then had to do was that my husband had to give up the office he was renting part-time, one evening a week, for his small private practice. Now our clients come through the back of the house, through a few stairs, and they use one of our three bedrooms, which we make look professional. The clients come in there, so my husband can make a few dollars that way. The leak that we had in our dining room, that left a very interesting ceiling and wall, has not been fixed for three years now, so we've come to accept it as a form of art.

We don't have more children, partly because of our age but certainly by asking, "Can we afford it? Can we afford to give what we want for our kids?" What we want for our kids is not trips abroad, summer vacations etc, it's just this: we pay \$9,300 a year for our daughter. That's about, net, a quarter of our income. That's a lot. We also have a mortgage; we also have all the rest of the expenses. He has professional insurance; I have professional insurance. Last year, when we finally sold our old rusted car, I netted \$50 for my car. My husband did much better: he got \$200 for his. So we're paying inside-out to have what we consider a tremendous privilege to do this. Every year we ask ourselves, "Can we do this one more year? Is it worth it? Wouldn't a family vacation, to go away somewhere for a month, just be a family, give us the same kind of values and so on that we want?" But every year, so far, for three years, we've been pulling through.

At the same time, I have been volunteering for the last three years through the Learning Partnership. Is anyone familiar with it? The Learning Partnership is the organization that organizes Take Our Kids to Work Day and other programs. I've been giving my time to this organization to bring women who are successful in their careers to talk in the schools—in the public schools, but also in the Catholic schools—and inspire young girls especially, but also boys, to see what's possible for women nowadays. I've been involved for the last three years with the Learning Partnership, giving about a day a month, consulting to schools, creating a partnership between people from the private sector who consult to schools. So I am a great believer in a very strong public system, and I think I walk the walk; I don't just talk the talk. As opposed to saying, "Yes, it's great to have a

good public system," I do it; I give my time and my expertise. So I guess the question then is asked, why don't I send my kid there? If I do it and everything, why don't I send my kid to the public system? For me, the answer is simple. I don't because—

Interruption.

Ms Bar-David: What's happening here? It has to be multi-dimensional.

The Chair: You'll have to ignore the distraction and continue with your presentation.

Ms Bar-David: For me, the reason why I send—and forgive me; for the next couple of moments I'm going to be somewhat dramatic, I hope not melodramatic. But I'm here as a parent, and I can talk from my heart and I don't have to worry about how it's going to come across. I'm just going to say what I feel and think, and I'm not going to do that kind of yelling; I'm just going to talk.

The Chair: Go ahead.

Ms Bar-David: To me, the reason why I don't send my one and only daughter to public school is because for me, that's my past, that's my present and that's my future. As one of the posters for the state of Israel says, "Our future is where our past is." I find that fundamentally true for me, because I want somehow to have cultural continuity. There are a lot of other things, activities, that I do and so on and so forth, but for me—and again, I have to say this—six million of my people were put in gas chambers, then their teeth were taken and the gold was used for something else, and their bodies were used for soaps. For me, those souls are crying, and I feel that I owe a personal obligation for the continuity of these people, my Jewish people, just like the Islamic group that was here before felt the same obligation to continue that, just in the same way I feel an obligation to maintain this country, Canada, as a democracy, as an enlightened place to give leadership in the world. It's all part of the same parcel for me.

What my daughter gets by going to a Jewish day school, beyond what I bring—there's so much that happens. She gets, to me, a strong Jewish identity. It doesn't matter if it's a strong Islamic identity, a strong Catholic identity; it doesn't matter. Nowadays, the forces of society, the tidal wave of TV, are such that you can drown. You can't hear your inner voice. Most of the children today, unless they have a strong foundation at home or a strong foundation somewhere, can't hear an inner voice, can't hear right from wrong, can't hear one thing from another. What I see is that this education that's available to me is the best that I can have to enhance what I give at home. I'm not delegating my responsibilities to a school. My husband and I do everything we can. My poor daughter, the lectures she hears every time about how blessed we are to live in this country. My husband thinks it's overkill, but I believe you punch it into them when it's early.

Interjection: She doesn't really punch it into her.

Ms Bar-David: Right. But I do believe that the fundamental things of values come early; they come from mother's breast milk. That's where it starts, and it's never

early enough. As much as I would send her to get a public education, where she would learn about—in fact, I'm losing out on stuff when I don't send her to get a public education. I'm losing out on her learning intensively enough about Islam and about Sikhs and about other cultures, because that's what you do get in the public education system. It's not that I'm so happy with the solution that I have that I think it's the only solution, but it's the best solution that's available to me. The rest I have to make up otherwise. The rest I talk to my neighbours and I ask about things, because I don't live in a Jewish-only neighbourhood. So I talk to my Chinese neighbour about, "What's this?" and "What's that?" That's the kind of thing that I try doing. It's all compromises. But this is the best compromise that I can come to, and it's not compromiseable.

It was interesting, what this girl before me said—this young woman—about her father selling his shirt. That's pretty much how I feel, and I think that as we raise these kids who are not TV kids, who have a strong base of values, what we're going to have is a society that has a discourse that's value-based. The discourse that happens here in Parliament, the discourse that happens between people over parties is going to be a value-based discourse. I think that's what we do. We're not going to bring dichotomies. I think we're going to bring together the values that people share. I often feel much more comfortable talking to a strong Christian because when we talk about how to make a decision, we talk the same language, even though I come from one perspective—

Mr Spina: Christianity was based on Judaism.

1240

Ms Bar-David: So I hear, so I hear.

Certainly the Toronto Heschel School is named after Abraham Joshua Heschel, a rabbi and a doctor, who believed in changing this world. He walked with Martin Luther King. He was an activist with Martin Luther King. That's what it's all about.

The four fundamentals of the school are changing the world, healing the world; the second is peace in the home and peace in the community; the third is they try to develop a personal relationship with God; and the fourth is respect and honour for what is and what was.

I want my kid to come out of this Jewish school—she's already making lunch for the homeless as part of Out of the Cold. We make weekly lunches for the homeless and we take them down to the church; it's a multi-faith place. So all those things.

I just want to—how long do I have?

The Chair: You still have approximately four minutes.

Ms Bar-David: I discovered just now that my daughter for the last year and a half has been saying, every Monday in school when they go to the synagogue, a blessing for her aunt who has cancer. I had no clue that this child was given this tool in school to do this, to give a special Jewish blessing for that. She's rooting for her aunt. I don't know that she would have gotten this in the public system.

We who keep the Sabbath, keep everything—TV, everything—out. She would be the outsider in a public school where the parties happen on Shabbat, on Saturday. She'd be the odd one out. Yes, bringing everyone together makes so much sense, and yet bringing everyone together can also make someone feel like an outsider.

I have a lot more to say but I'll just say one more thing, and I do want to leave three minutes for questions. I meant to leave more. We are here in a political discussion and this all of course has a political dimension. I did want to say that although you gentlemen seem quite lovely, I fundamentally disagree with the Harris government on everything. I never voted for you. I'm certainly squarely centre or left of centre and my vote went to both of these parties on this side, I believe.

Mr Marchese: We're right here.

Ms Bar-David: You're right here, and I hope you continue to be here. But I think, with all due respect, if liberalism and socialism are about self-actualization of citizens, if they're about inclusion, if they're about community, if they're about access, then I think that with the position you're taking you're betraying those principles. That's how I feel. I feel that you should have been cheer-leading this. That's what I feel. How can I vote for you when you're doing this that keeps me out, that keeps me discriminated against? When a panel of the UN said that, how can you do that? I don't believe the government is doing this for the right reasons. I don't believe they're doing it the right way. But you know what? I have a different look now. So I hope this goes through. Thank you.

The Chair: Thank you very much. We have approximately one minute for questions per caucus.

Mr Marchese: I appreciate your personal story and it's most moving. As I hear your story and the previous speaker, one is moved by those personal stories.

I believe very much in issues of justice and there are many questions I would like to ask you, and others as well. It doesn't permit me to do that. But I really do believe in a public system that is inclusive, that reflects our diversity, not just homogenizes our diversity but reflects it and respects it and shows it in every which way.

But I know that our public system will simply not be able to go far enough for you, or at least for the Jewish community in general, in terms of your faith-based kind of education. I understand that. That's where our differences lie. As much as I appreciate your story and your feelings around this issue, I simply believe that we need to reflect that diversity strongly in a public system. International languages do that because they teach language and culture. But it doesn't go far enough in terms of the faith, I understand that. Reflecting on diversity in terms of religious readings, I think that's important. We didn't do that before. The Toronto board does: black culture, we do that; native studies, we do that. So there are a lot of things that we can do, but I'm not quite sure that we can go as far as you want and that's where I stop in terms of our irreconcilable differences.

Ms Bar-David: Make me an offer. Give me a public school that goes much farther than it does and I might join. As I said, I think I'm losing out on something.

The Chair: The government side. Mr Spina.

Mr Spina: Thank you, folks, for coming. We fully respect your political decisions that you've made in the past. I just want to remind you that nobody knows where you put your X in the ballot box.

Ms Bar-David: Exactly.

Mr Spina: I have only been in government a short time, six years, and these gentlemen have been here much longer than me. I have never seen a single issue that seems to have united the Arabs, the Islamic community, the Sikh community, the Jewish community and the Christian community like this one has. I really never have.

The critics paint the picture that the only place that children can experience cultural and religious tolerance is in a public school system. You have demonstrated from your heart, madam, that it is clearly a larger society and the will of the individuals that create and learn that tolerance, that respect, that understanding and that learning of all the different faiths. Thank you for bringing your comments forward.

The Chair: The official opposition. Mr Phillips.

Mr Phillips: That you for a very articulate presentation and deeply held views, clearly.

Just by way of comment, the one piece of research we've got from the government is this, and I would say it to the previous presenter, of whom I didn't have a chance to ask a question. Read what Harris said two years ago. You made comments about positions, but then he argued strongly and cogently against extending the funding. So it isn't the bad opposition that have argued against it. I would urge you to get that.

I've had some prolonged discussions with people, dare I say, in leadership positions in the Jewish community about this issue, and clearly they feel strongly. My good colleague here feels strongly about it. But it is a matter of principle with them, and that is, as one said yesterday, I think, "I live next door to someone Roman Catholic who gets full funding; we get nothing. So this is a good first step, but on matters of principle you can't go half way."

As a matter of principle, they feel that it requires equal funding because you are discriminating, to quote the United Nations. As we step down this road, I believe, logic tells me, that many in the community, in all the communities, will forever say, "Until we get full funding, justice is not served. We appreciate this first step and we're thankful for it, but as a matter of principle we cannot," and I understand this, "be satisfied until we have full funding." You talked a little bit about that in your remarks.

Do you see that as we start down this road that the logical end of it must be that religious schools, regardless of denomination, have equal funding?

Ms Bar-David: I think you're asking me about forces much greater than my scope of vision, but I think, yes, if you're dealing with discrimination, it is a matter of prin-

ciple. Ultimately to remove discrimination, you remove it.

Having said that, this \$700—even this plan, I'm drowning here. Seven hundred? Thank you. In principle, of course it should be removed. How can it not be removed?

Will I have the energy to go and continue and fight? I don't know. But right now, I just put my name forth and I got invited. So I think that in principle, yes, discrimination—as I said before, we all have discrimination. In my heart, I still believe it and I still try to fight it internally, anything that I have in me. I think the legislation should be such that it's non-discriminatory. We've moved on gay and lesbian things, we've moved on so many areas to say, "This is wrong," then why not on this one?

The Chair: On behalf of the committee, thank you very much for your presentation.

This committee is recessed until 4 o'clock this afternoon.

The committee recessed from 1250 to 1600.

FRASER INSTITUTE

The Chair: Good afternoon, everyone. It's 4 o'clock. We'll bring the committee back to order.

The first presentation this afternoon is from the Fraser Institute. I would ask the presenter or presenters to come forward and state your name for the record. On behalf of the committee, welcome. You have 20 minutes for your presentation.

Mr Phillips: Chair, I don't want to interrupt the presentation. I just want to make sure the letter went off to—

The Chair: I just signed it.

Clerk of the Committee (Ms Susan Sourial): It's been photocopied and I'll distribute it.

Mr Phillips: That's great. I appreciate it. Thank you.

Ms Claudia Hepburn: My name is Claudia Hepburn. I'm the director of education policy with the Fraser Institute here in Toronto. As most of you are aware, the Fraser Institute is a non-partisan, independent research organization whose goal is to draw the attention of Canadians to the role that markets play in providing for our well-being. We do research on public policy issues ourselves and we collect and disseminate the findings of other well-known and respected researchers on issues that are of importance to Canadians.

As director of education policy, I have spent the last several years doing research on education policy, specifically in the area that is under consideration today. That issue is school choice.

The Acting Chair (Mr John O'Toole): Excuse me. If I could interrupt for a moment, some of the members of the committee are wondering if you have a formal presentation, a printed—

Ms Hepburn: No, I didn't bring a printed presentation with me. It's just a verbal presentation.

The issue under consideration today is school choice, and more specifically, government subsidization of private school choice for Ontario's families. I hope that by presenting the facts about publicly subsidized school choice you will be better able to make an informed decision about how it is likely to affect Ontario children, their families and their schools.

Public funding of private schools is commonplace in many countries and cultures around the world. In Denmark, for instance, it has been available to children for as long as publicly funded education has existed. Like many people in Ontario, the Danes believe that a parent's right to determine their children's education is a fundamental human right. They can't understand our acceptance of the government telling us where and how our children are to be educated. In Canada, in provinces such as British Columbia, Alberta, Manitoba, Saskatchewan and Quebec, public funding of private schools is taken for granted as a fundamental part of what public education does.

The equity in education tax credit is going to function just like an education voucher does. An education voucher is an education tool that has been widely used in the United States to defray the cost of tuition at independent schools. Since vouchers have been well studied, we don't need to guess or theorize about what effect the tax credit might have here in Ontario. We just need to look at the research to answer the essential questions about what effect they would have in Ontario. Those questions are:

First, do low-income parents want school choice, and if they are given it, will they use it? Or is school choice just something that interests upper-middle-class families?

Second, how does choice affect the achievement of students who use it?

Third, how does competition from private schools affect the rest of the public school system?

Fourth, how does school choice affect civic values?

We'll start with the first question, do low-income families want school choice? Critics argue that only the wealthy want to send their children to private schools so the education tax credit will only benefit them. Evidence from all the American voucher programs, as well as those in New Zealand and Britain, show without equivocation that low-income families love school choice. They line up to take part in voucher programs in which either private individuals or the public subsidize the private schools and they are overwhelmingly satisfied with them when they are allowed to take part. This is true even when low-income families are stretched to pay a portion of the tuition themselves, as will be the case with this tax credit.

Evidence from Ontario corroborates this. Even without the tax credit, the average income of private school families is lower here than the average income of public school families. Wealthier families in this province pay more for their housing to live near better public schools. Lower-income families can't compete for the expensive real estate but they can make financial sacrifices on a

smaller scale to put their children in reasonably priced but effective private schools.

The second question is, how will tax credits affect academic achievement of students who use them? Some people claim that because private schools are less regulated than public schools and don't have to use certified teachers, the education they offer is uneven and we can't be sure they'll teach students anything. Evidence from American voucher programs proves just the opposite. Students who take part in them learn more than students in regular public schools even when those private schools charge far less than the public schools cost. Research from voucher programs in Cleveland, New York, Washington, DC, and Dayton, Ohio, indicates that voucher students are making statistically significant gains over their peers in public schools. Some less rigorous research shows no statistically significant difference between voucher students and the control group. But no research that has been done by any team of researchers has shown that vouchers have harmed students academically, and all the research, by every group of researchers, who have squabbled among themselves—they have all agreed that the programs are all tremendously popular among low-income families who use them. This is about as close as you will ever get to academic agreement on any subject, as I'm sure you're aware.

Third, and perhaps most important of all, how will competition from private schools affect the public school system as a whole? Popular wisdom would have us believe that competition among schools will result in winner schools and loser schools. Nobody wants any child to have to attend a loser school, so this makes the sound of competition a little scary.

However, because we have good research evidence, we don't need to rely on scary conjectures for our public policy decisions. Scholars have studied the effects of competition on schools to see what happens to children's learning when schools have to compete with one another for students. Harvard professor Caroline Hoxby has recently published a monumental study that looks at public schools across the United States that faced competition, to a lesser or greater degree, from private schools or charter schools. She found that the more competition a school faced, the more that school improved.

This suggests that schools which children choose to leave, or even schools that children threaten to leave, are the very schools most likely to improve the most. Children attending the worst schools are likely to benefit the most from competition. The school's administrators, knowing their students are learning less than other kids, will pull out all the stops to see that the education they are offering improves, and they'll do that with just the same amount of funds and resources they had before. If they don't, the parents will be free to go shopping for a better school. Past research by Caroline Hoxby has shown that as more students use private schools, public schools start to react by improving the quality and diversity of programs they offer. This is exactly the kind

of evidence that makes the tax credit such a wonderful idea.

Hoxby's finding corroborates those of Ludgar Wasserman of the Kiel Institute in Germany. Wasserman recently published the results of the largest study on educational efficiency ever made, which looks at education in 39 countries around the world. That study found that competition from private schools was one of the four key factors that fostered high achievement among students. That study also found that the amount spent on education made no difference to educational achievement, but that the other factors that fostered high achievement were attention to test results, school control of staff and operations, and teacher discretion over teaching methods. But competition from private schools was a major, critical factor.

Lastly we come to the question of civic values. Do students who attend public schools learn to be more tolerant and better citizens in a democracy than those who attend private schools? If they do, as many opponents of the tax credit claim, it's a very powerful argument against private school education.

Two independent American studies—the Americans are great at doing research we can use to apply to Ontario—have addressed this very question. They studied public and private school students and graduates to determine if, as many people believe, public schools do a better job than private schools of promoting the kinds of values that we as citizens in a democracy hold to be so dear, values such as social involvement, tolerance of difference of opinion, political knowledge and voting activity. Both studies found that private schools are better than public schools at promoting these civic values, usually by statistically significant margins. It's not clear why this happens, but it's very clear that it does.

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This question can also be answered by considering two very different systems of education that developed at the same time in ancient Greece, one of the first cultures to spread education beyond a tiny ruling elite. As you are aware, Athens was the home of the world's first democracy, where mathematics, literacy and the arts flourished for centuries. In Athens, education was not a public responsibility but a private responsibility that was the sacred domain of the parents. Schools competed for students, and as the society developed the schools developed themselves, and for the first time in history, secondary schooling emerged. Also, the skills that were taught in schools developed from being solely teaching the students rhetoric and how to speak to teaching them mathematics and the arts and all the things that became valuable in society. Athens became renowned not only as the world's best-educated society but also as an unusually tolerant, democratic and civilized one.

Sparta, on the other hand, began by being a much more wealthy society than Athens, but in retrospect we all remember it as a very harsh, military society.

Mr Marchese: Better soldiers.

Ms Hepburn: Better soldiers, yes, but less literate ones.

Education was public and parents had no choice about the kind of education their children received. This was done for the good of the children, just as public education in Ontario is done for the good of the children, and also for the preservation of the values that society held so dear. Parents, the rulers believed, could not be trusted to educate their children properly. They couldn't be trusted to choose the schools their children should attend and they couldn't be trusted to have them taught with the proper methods of instruction and the proper skills. The students were referred to as cattle and the teachers referred to as boy herdsmen. Martial skills were valuable for the defence of the state and they were taught at the expense of mathematics, literacy and the arts. Over the 200-year reign of Sparta, educational innovation was shunned or forbidden, as was intolerance of politically correct opinions and civic values that we in Ontario cherish.

As the ancient Greek examples illustrate, publicly controlled education does not have a glamorous beginning. As Balkanized states such as Yugoslavia and other Communist systems show, publicly funded education continues, in most if not all parts of the world, to be used by the majority at the expense of minority opinions.

To recap on school choice facts, many poor families welcome school choice even when they are asked to pay part of the tuition. Second, parents are overwhelmingly satisfied with school choice programs. Third, voucher students learn more or as much as they would have done without a voucher. Public schools improve the quality and variety of programs they offer when families have a choice of switching schools. Fourth, private schools are more likely to promote civic values than public schools are.

Finally, how does private school choice affect education in public schools? Competition from independent schools results in higher achievement of public school students in the same district. When school officials fear they will lose students, they have an incentive to employ the best teachers and offer the most sought-after programs in order to keep them, and also to use their resources the most wisely rather than spend their time bickering between school boards and the government so that the schools wind up being closed and the students wind up getting no education at all for months at a time. Providing parents with choice and public schools with competition improves the educational outcome of all students.

The opposition would have us believe that school choice is a right-wing policy that is supported by the rich and by fascist types or only radical free market types such as the Fraser Institute. In fact, if we look around the world at where school choice is supported, you'll notice that Denmark and Sweden are two popular countries where school choice has existed, which are not often thought of as being fascist or intolerant societies. Also, in the United States, support for school choice originated

among the blacks in inner-city United States, who are traditionally Democrat supporters but had been let down by the Democrats, who had implemented such terrible education policies as busing and other kinds of manipulative programs that don't trust that parents will do the best for their children.

Today in Denmark, vouchers hold the support of every political party, as they do in Sweden, including the Communist Party and the Social Democrats, who vowed when vouchers were implemented to get rid of them as soon as they regained power, just as the Liberals are doing here. Five years later, when they came to power, they actually increased the amount of funding that went to independent schools because it was such a popular policy and because they recognized that it was actually improving the education in public schools, not destroying it, as they had first feared. In the United States, support is strongest among African Americans, low-income families and people with school-aged children. It's supported by 75% of blacks under 35 with children. Although it has been traditionally supported by Republican politicians, as you well know, it is now supported by a growing number of prominent Democrats.

Those are my arguments why I think this tax credit is the best educational policy that's been suggested in the past hundred years anywhere in North America. I think we've really seen the bottom, the darkest point of education in this province if this policy is implemented as it has been suggested and it's not doctored up by too many amendments that water it down. I think we're really going to see an emphasis on improving education for children.

I'd like to welcome any questions that anyone has.

The Chair: Thank you very much. We have one minute per caucus, and I'll start with the government side. Sorry for that, but that's all the time we have.

Mr Hardeman: Thank you very much for your presentation. I think you did a very good job of pointing out all the benefits of giving parental choice. This is not, at least from my observation, an issue of the public education system. The tax credit is providing parental choice for parents, primarily for parents who have already made the choice of a different type of education for their children, for whatever culture, religious or teaching method reason they decided to take. I think this provides more parents with the ability to pay for that. We've heard a lot of presentations from supporters of the tax credit who have said their children would start in independent education but they had to drop out because they couldn't maintain that level of cost over and above the tax they were paying for the public education system.

The Chair: Thank you very much, Mr Hardeman. We've run out of time. I have to go to the official opposition.

Mr McGuinty: Thank you for your presentation. I appreciate your calling it the way you see it. You've labelled this tax credit, quite properly, a voucher, and that's exactly what it is. In your experience in looking at the experience of other jurisdictions, a voucher will

undoubtedly act as an incentive. It will incent behaviour that otherwise would not have taken place. Do you believe that the introduction of this voucher into Ontario will encourage still more parents to remove their children from public schools and to put them into private schools, or do you think it might—the government makes the assumption that it would have a neutral effect. Do you agree with that? What I submit is that in fact it will lead to a still growing number of parents leaving public education and going into private schools.

Ms Hepburn: It's not a question of what I believe but what the facts are. We have seen these policies be implemented in numerous places, and what has happened is that generally a few more people have left for private schooling. In Ontario we currently have 4% of students in private schools. In places that have public funding of private schools, that number is usually between 7% and 15%. I don't know anywhere where it goes higher than that.

Mr Phillips: New Zealand?

Ms Hepburn: I don't think it's any higher; I'm not sure of the specifics in New Zealand.

The power and the beauty of this voucher, or the tax credit—this is actually better than a voucher, in my mind—is that a few students will leave but the majority will stay, and it's the threat of students being able to leave that is what is going to really make schools improve. If a couple of students leave a school, the school is going to start getting scared and say, "We don't want to lose any more students, so what do we have to do to keep these students here and keep the parents happy?" Most students don't have to leave. Most will stay in the public system.

Mr Marchese: Claudia, sorry we don't have much time to debate, obviously; one minute I get to ask a quick question and then we're done. I'm going to try and be quick. What school did you go to?

Ms Hepburn: I went to four schools, two private and two public.

Mr Marchese: God bless.

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Ms Hepburn: Did I see that Gerard Kennedy was here? I understand he is against this voucher but that he attended the most elite private school in Winnipeg on a scholarship.

Mr Marchese: It's not my problem. Sorry. I didn't ask you that.

Ms Hepburn: As have a number of opponents of this credit.

Mr Marchese: God bless them too.

Do you know the difference between those who go to private non-denominational schools and those who go to religious schools?

Ms Hepburn: What do you mean do I know the difference?

Mr Marchese: Sorry, not do you know the difference but the numbers of young people who go to private non-denominational schools and those who go to denominational schools? Do you have that figure here?

Ms Hepburn: I do have that figure here. Let me find it.

Mr Marchese: Don't worry—

Ms Hepburn: If you don't want to hear it, why did you ask me?

Mr Marchese: I do, but you've got so much research in your head I thought you'd have a quick answer. The other quick question is, how many poor kids do you know go to Upper Canada College?

Ms Hepburn: I don't know the figures, but virtually all private schools offer some kind of tuition, bursary or scholarship. Upper Canada particularly takes students purely on academic merit, not on their ability to pay.

The Chair: On behalf of the committee, thank you very much for your presentation this afternoon.

Mr Marchese: You see what I mean? What kind of a debate is that?

Ms Hepburn: Thank you very much for having me.

Mr Phillips: Mr Chair, just before we move to the next presentation, the letter you sent does not include another important thing I thought I requested. If I didn't, I will request it through motion. We got the 80-page brief from the government when they were against extending funding, the two-year-old brief where they argued strenuously against it. What I'd like from the government is the research they've done that changed their mind. I thought I had asked for that this morning. It's not in this letter. If I need a motion, I would ask—

The Chair: No, I don't think we a motion.

Mr Phillips: Just if you would ask the minister to forward the research that has been done that led the government to change its mind on this. The presenter who just left us indicates the importance of research.

The Chair: We'll follow up on it.

Mr Phillips: Second, I think we asked earlier for education spending going back to 1995. Have we been able to get that yet?

Clerk of the Committee: It's right here. I haven't had a chance to distribute it.

Mr Phillips: Great. Thank you very much.

Mr Stewart: Chair, on a point of order: Could we get the name of the private school Mr Kennedy went to?

The Chair: No, that's not a point of order, Mr Stewart.

TORONTO DISTRICT SCHOOL BOARD STUDENT SUPERCOUNCIL

The Chair: Our next presentation is the Super-Council. I would ask the representative or representatives to come forward and state your name for the record. On behalf of the committee, welcome. You have 20 minutes for your presentation.

Mr Anton Vidgen: Good afternoon, members of the committee. My name is Anton Vidgen. I'm the president-elect of the TDSB Student SuperCouncil. As the primary spokesman for secondary school students in Toronto, I represent over 100,000 youth who truly believe in the public education system. With that belief, these students

are shaping up to be fine democratic citizens in a society that should embrace choice.

On the surface, the government's proposed equity in education tax credit seems to do just that: offer choice. But any similarity ends there, for if you look a little deeper, things are not what they may seem.

Here are the facts: this tax credit will eliminate \$6,500 from the Toronto District School Board's budget for every student who leaves for the private school system, or, in Conservative-talk, a net saving to the government of \$3,000 per student.

You are obviously mocking the public education system. By providing a financial incentive to parents to enrol their children in private schools, you are backtracking on one of the fundamental pillars of a democratic society: a free and open public education system. What's truly puzzling about this tax credit is that you are one step away from publicly funding a private system. Am I missing something, or is that just a waste of money?

Furthermore, parents who enrol their children in private schools have made a choice. This does not warrant taxpayer-funded assistance. These parents have chosen to leave the public school system for their own reasons. Will the tax credit now force these schools to conform to your rules for public schools? You are un-privatizing the private school system by making it meet public standards.

This Conservative government is leaning a little too far right concerning this issue, and if they continue using that right wing, they'll simply end up flying in circles.

It's a wonderful day outside and it's shaping up to be an enjoyable summer. Give all students a break, but not a tax break. Bring us back to an unbiased balance. Withdraw the proposed equity in education tax credit. Thank you.

The Chair: Thank you. We have five minutes per caucus. I'll start with the official opposition.

Mr Phillips: Thank you for your presentation. We appreciate it. The thing that's caught many people in Ontario off guard on this is that it was just two years ago that the government argued strenuously against extending funding and prepared some language that was quite firm against it. I might add, we've once again asked for the research that caused them to change their mind, and we hope we are able to get it.

Two years ago, the Harris government said this in terms of why they were against extending funding:

"One of the strengths of a public system of education is it provides a venue where people of all colours, races, national and ethnic origins and religions interact and try to come to terms with one another's differences. In this way, the public schools build social cohesion, tolerance and understanding. Extending public school funding rights to private religious schools will undermine this ability ... may result in a significant increase in the number and kind of private schools. This would have an adverse effect on the viability of the public school system, which would become the system serving students

not found admissible by any other system ... would lead to increased school closings and a reduction in the range of programs and services a public system might offer ... would have a detrimental impact on the public schools and hence the fostering of a tolerant, multicultural, non-discriminatory society in this province, thus undermining the fundamental rights and freedoms of others."

That is what the government said two years ago. I'm wondering if on behalf of the Student SuperCouncil you're aware of any research the government has done or any evidence that would suggest some things have changed that would cause them to change their mind from that statement.

Mr Vidgen: I don't know if research is the best way to do. Statistics can only show so much. If the government actually came into the school system and saw what was going on, they could see it's a completely multicultural society. There's not much that only figures can represent. If you represent the true feelings and emotions of public school students, they really like it there. They really believe in the public education system. Giving a tax credit to parents of children who enrol them in private schools I don't think is going to make a difference. I don't know where the government is going with this issue. If anything, they're mocking both systems, both the public education system and the private school system. Again, I think they should withdraw it.

Mr McGuinty: Anton, thank you very much for your presentation and thank you, in passing, for the responsibility you've taken on in your capacity as president-elect.

We've calculated that we've got about \$1.8 billion less in funding for public education today in comparison to what we had in 1995 when you factor in inflation and growth in enrolment. I would argue that this government has brought public education to its knees. It's no wonder that parents are losing confidence in the public system. The most important thing we should be doing is investing in the public system to reinspire that confidence. We've proposed that we start with smaller classes.

From your perspective, the students' perspective, what are the needs today in public education?

Mr Vidgen: Above and beyond, it's funding. Although it sounds completely superficial, we really need the money to fund the basic necessities in schools, be it textbooks and basic resources such as that, be it teachers, with whom the Toronto District School Board recently reached a collective agreement which took more money out of their budget. There have been difficulties everywhere concerning funding and we really need the money to continue these programs.

To use your analogy of begging—that is unbelievable. We truly are begging the government to bring back a democratic freedom of public education. I don't see in any way that they're being accountable. We are doing all we can to bring some law and order and a proper education system, and the government is merely backing off and doing how they please.

1630

Mr Marchese: Anton, the other day there was a press conference here. Her name is Nadia Lambek from Harbord Collegiate.

Mr Vidgen: I know of her.

Mr Marchese: Her view was that holding these hearings at this time is particularly difficult for students, so she was decrying the fact that there wasn't more time. Secondly, the way they're doing it makes it very difficult, because it's limited, for them to come even if they wanted to. Even if they did want to, there are only so many spots because we choose three, they choose five and they choose eight. We suspect they wouldn't be choosing many students and, because there are limited spots, how many could you put in anyway?

Do you share that view? Do you know any other student who would have liked to have been here, or do you have an opinion about that?

Mr Vidgen: I know for a fact that every other member of next year's SuperCouncil executive would do anything to have a chance to come and speak to everyone here. I think any student in the public education system in Toronto would absolutely enjoy a chance to decry this. It's like saying to someone, "We're going to take something away from you and you have to remain completely quiet about that." That's totally ridiculous.

I do have to acknowledge that there is only so much that public hearings can accomplish. I don't think we could have every single student in Toronto coming here to say what they want to say.

Mr Marchese: You're quite right. I think we've heard the same things from most people with some variations. But at least the more people who come and express their views, the more an opportunity for them to say it and for these folks to see them.

One of the former directors of education said, "Usually a tax credit is introduced to encourage a particular action or behaviour. We cannot think of a tax credit that is designed to discourage activity." Quite clearly what he is saying is, if you're going to give a tax credit, it's designed for people to take advantage of it, and if they do take advantage of it, money will be taken out of our provincial coffers, because it's coming out of that sector. If they do take advantage of it, however many, it's taking it away from the public system because your funding is based on enrolment.

They argue that there is no evidence that anybody will leave the system; it's only for the people who are already there. You're a young guy. What do you think of that?

Mr Vidgen: It's completely illogical. A tax incentive is exactly that: an incentive for something that it's proposed to do. In this case, it's to move students to the private education system. It is beyond me how the government can say that this is some sort of choice. It is obvious where they are leaning. They are completely biased on this issue. That's what I truly mean, let's return to an unbiased balance because that is the key issue.

I know there are merits to the private system and the public system. I think they both have to be valued, but an equal balance; one should not be valued over the other.

Mr Marchese: The other thing the Conservative members say—M. Hardeman, M. O'Toole and all the others, day in and day out—it's tiring. You don't know how it feels to be here. Every teacher and organization representing teachers that has been here, including yourself and ordinary people like People for Education, is saying, "We love public education. We wouldn't dream of taking money out of public education," because they support it a lot. People for Education did a survey—which they don't trust, by the way—and this survey shows schools with ESL teachers down 9% under them; schools with design and technology teachers down 36%; schools with guidance teachers down 24%; schools with a regularly scheduled psychologist down 40%; schools with a regularly scheduled social worker down 32%; schools with a regularly scheduled speech pathologist down 18%; 28% reported general upgrades were needed but not approved; 15.4% reported needing renovations or additions, and on and on. A 71% increase in schools reporting user fees for after-school—

Mr Vidgen: That's the only increase in the entire list you mentioned.

Mr Marchese: It goes on and on. But to hear these guys, they've poured in billions. The fear that people like you and others have is we're already severely underfunded, by \$2.3 billion, and this idea of giving public dollars to private schools is only going to make it worse.

Mr Vidgen: That's correct. I agree.

The Chair: Mr O'Toole.

Mr O'Toole: Thank you, Anton. It is absolutely important to hear students and their views. I do appreciate and respect that. You're entering the world of public views and they are always challenged.

You speak for 100,000 students, it's my understanding. That's how you introduced yourself.

Mr Vidgen: That's correct.

Mr O'Toole: Have you done a survey with them? How would you know all their individual views? I draw the question—it's hard to get 100% of anything, so it would be wrong to imply you have 100% of anything.

Mr Vidgen: OK. I have to admit that—

Mr O'Toole: The other thing is, we've heard a number of very important presentations of a very mixed variety. I'm only reciting the ones from this morning. It is the views of B'nai Brith Canada in their presentation earlier this morning, very well respected, Simon Rosenfeldt and others. I'm just going to read one of the quotes, and this is on their second-last page: "Proponents of public education appear to be more interested in fighting to preserve an inequitable status quo than in fighting to create equity for all children."

Now, there's an organization respected in the world for their views. They've described themselves as 126 years of relentless defence of their culture, and respected around the world for doing it respectfully and democratically.

We also heard this morning from a wonderful young Islamic student who had graduated from an Islamic school, and she had expressed many of the same sentiments of having felt assimilated, which is her word. She said God should not be taken out of our schools because that satisfies someone else's purposes for a neutralized system. I think she's entitled. Religious freedom is a right.

There's another very important comment made by the Jewish education, and this was by Simon Epstein, a very insightful observation, much along the tone of preserving values, preserving the status quo, preserving the "just us"—justice—argument. What they said is, "Much has been written about the hidden curriculum in the past decade," the implication there that there really is an agenda, the no-God agenda kind of thing, in the secularized system. That's perfectly appropriate. It suits probably 95% of the students. These are the views of students who cherish and stand up, like you, to speak, and they are entitled to in a democracy. This really is providing choice and it's a choice where you spend the \$5,000, you spend the \$7,000, and then sometime later you get a credit for it.

So if you're fighting for democracy, are you opposed to the student or parent choice in this case, categorically opposed to it, to defend the status quo? That's how they've defined it, not me. Which way is it? Is it choice in democracy or is it "just us," one way?

Mr McGuinty: That's not a leading question.

Mr Vidgen: You're only mentioning religious schools.

Mr O'Toole: His answer would be there are two answers.

Mr Phillips: I'd like to hear from the witness.

Mr Vidgen: You're only mentioning cultural schools. There's nothing threatening them as it stands. By providing them with more funding, will it somehow decrease a non-existent threat? It doesn't make any sense.

As for your comment that they fear that they're going to be assimilated into the public education system, you could apply that argument to anything. You could apply that to a company. You could apply that to a country, ie, Canada, that they're going to be assimilated into a Canadian form or culture where they're not going to be allowed to worship their God or however they proceed with their cultural traditions.

I think every student has a chance to engage in their religious and cultural views in schools, although it's not encouraged by the Toronto District School Board. It's not something that is a pillar of it. It is something that is considered. I think all students feel they do have freedom in the public education system. I don't think anyone is being oppressed. If that was the case, we'd be talking a whole different story here.

Mr O'Toole: I think John had a question.

Mr John Hastings (Etobicoke North): Thank you for coming today, Anton. It would appear to me, in your consideration of education policy and what's going on at the Toronto district public board, that you'd have a pretty

good insight as to what occurred with the recent settlement involving the secondary school teachers across Toronto and the board and how they arrived at their 8%. Are you aware of that at all?

Mr Vidgen: Yes.

Mr Hastings: I may be off in my figures so I'll use a very minimalist number. From my understanding, there's at least 100 fewer teachers who will be teaching in the system as a result of that 8% settlement of last April.

Mr Vidgen: I believe that's correct.

Mr Hastings: It could be a little higher. Do you concur in that number, and what do you think of that number as to how the school trustees arrived at their 8% settlement?

Mr Vidgen: I believe that number is fairly accurate. That was the projected number. It may be much less; it may be more. I do not know. I can't give an exact number. But there is always give and take in negotiations. They got a substantial raise, I believe, in the negotiations. I believe they wanted even more. I don't want to denounce them; I believe they're completely entitled to negotiate for a settlement. But laying off 100 teachers is a direct by-product of the provincial funding model. If we had the money, there wouldn't have ever been a strike; there wouldn't have been these long midnight negotiations, because there would have been money to give them the adequate funding they needed to pay teachers' salaries.

The Chair: With that, I have to bring it to an end, because we've run out of time. On behalf of the committee, thank you very much for your presentation this afternoon.

Our next presentation is from the Morris Winchevsky School. Is the presenter in the audience? If not, I think the next presenter is here, and we can maybe switch spots.

1640

ORGANIZATION FOR QUALITY EDUCATION

The Chair: I think the representative for the Organization for Quality Education is in the audience, if you could please come forward and state your name for the record. On behalf of the committee, welcome. You have 20 minutes for your presentation.

Mr John Bachmann: Good afternoon. My name is John Bachmann. I'm president of the Organization for Quality Education, OQE for short. We're a group of parents, teachers, principals and taxpayers about 1,000 strong. We've been working for 10 years to try to improve the learning outcomes of all Ontario students.

Most of our members started out as parents or teachers with individual concerns about our children or our students. But invariably we have each come to the conclusion that the root causes of the problems we have individually experienced are systemic to Ontario's publicly funded school systems. We have also come to the conclusion that these systems cannot and will not change

from within; that if Ontario students are to benefit from responsive and effective public schools in our lifetimes, these systems will need to be forced to change. That is why the Organization for Quality Education strongly supports the proposed equity in education tax credit.

As OQE sees it, there are two major arguments for the tax credit: one is in the area of equity, and the other is resulting improvements to our public school system.

Providing public funding for only Catholic schools is patently unfair. We're sure, though, that the equity arguments for the tax credit have been and will continue to be presented very ably by representatives from religious schools, so today I'd like to focus OQE's comments on the impact tax credits will have on our public schools.

Some opponents of the tax credit concede the unfairness of the present system but argue that the solution is to do away with all religious and other publicly supported independent schools entirely. While such a move would seemingly resolve the equity issue, OQE strongly believes that the one big system that would result with the removal of public funding to Catholic and franco-phone schools would serve Ontario students, especially those from less affluent backgrounds, very poorly.

The "one good public system" argument assumes that our present public schools are doing the best job they can, given the resources they have available. Lack of funds, the education tax opponents tell us, is the problem. But our experience, working with schools in Ontario for 10 years, is that the real problems are underperformance, restricted choices and a lack of accountability.

As the EQAO, interprovincial and international tests continue to show, Ontario's publicly funded schools are not doing a very good job of preparing students for the next grade or life after high school. The reason for consistently poor performance is not a shortage of funds, but a long-standing unwillingness to abandon a natural learning philosophy that prevents the use of more effective teaching methods than those in fashion at our faculties of education, the Ministry of Education and school board offices. Unfortunately, again, the students who suffer most from this obsession with natural learning are those from lower socio-economic backgrounds.

Those in the education establishment get upset when test results are used to judge the performance of public schools. They point out that all these tests do is identify a positive correlation between test scores and income levels. But what they fail to admit is that these tests, including the widely misrepresented and unfairly vilified Fraser Institute report, identify schools in less affluent neighbourhoods that are achieving much better than local circumstances would lead us to expect. The educators in our public schools refuse to admit that there are lessons to be learned from these numbers—lessons that will help disadvantaged children more than their more affluent counterparts. Parents of such children should be given choices, not the excuses they are currently getting, if their neighbourhood schools aren't performing. The proposed tax credit will improve education equity by making

results-focused independent schools affordable for more parents.

Some opponents of the tuition tax credits argue that parents already have all the choices within the existing publicly funded boards that they could possibly want. They point to French immersion, arts schools and academy high schools. But the existing systems don't offer schools using true systematic phonics reading instruction instead of the so-called balanced approach; or a choice, for example, of semestered and non-semestered high schools. There are many other options that existing boards offer on only a limited basis, such as single-sex schools or classrooms, the International Baccalaureate program, magnet schools and schools catering to dyslexic students or students with other special instructional needs. In this age of diversity, the notion of a body such as a school board rendering judgment on the choices of schools available to parents in their jurisdiction sounds positively patronizing.

Members of OQE have spent and continue to spend a lot of time as members of various consultation groups. We've worked with the Education Improvement Commission, the College of Teachers, the Effective Schools Task Force and, currently, the Teacher Testing Project. Invariably, we find ourselves with very different views from some of the other parent representatives who support the present system and who, not surprisingly, oppose the tuition tax credit.

The premise that defines OQE and informs its activities is what we like to summarize as "confidence through competence." We believe that our best hope of having today's students become contributing and happy members of our society lies in having them master core knowledge, skills and habits. Confidence and self-esteem will, we believe, follow from this competence. And we fervently believe that virtually all students can acquire more competence than they currently do in our publicly funded schools.

The alternate premise that permeates our Ministry of Education and cascades down to the classroom is "competence through confidence." There are many parents, and I've met them personally in consultation meetings, who subscribe to this view—parents who see tests as an unnecessary source of stress for their children, who see any rote learning or repetition to mastery as impediments to creativity and the development of higher-order skills. Are they wrong? Our group thinks so, but does that gives us the right to insist that these parents send their children to schools built on our premise? No, of course not. But neither should it give these parents and their allies in the education establishment the right to force us to send our children to schools built on their premise—schools where, on average, as EQAO tests indicate, half the students are not ready to advance to the next grade. And remember, these are tests that were set up by our education establishment; these aren't comparisons with students in Singapore or somewhere else that can be easily dismissed.

After a decade of education reform experience, we in OQE know that existing boards cannot and will not provide parents with schools that differ from those in the publicly funded systems on this very important dimension. And we know from opinion polls, comments from our members around the province and the experience of other jurisdictions around the world that enjoy public support for independent schools, that there are many parents who want "confidence through competence" schools.

One other critical choice unavailable to parents through the existing public systems are schools free from continual labour strife. Although opponents of the tax credit attribute recent strife to the actions of the Harris government, in fact, the teacher federations have been in strident opposition to every provincial government, whether PC, Liberal or NDP, for the past two decades. Opinion polls since at least 1986 have identified teacher union power and intransigence as consistent public concerns. Supporting parents who choose independent schools free of such strife will no doubt, in time, moderate the belligerent behaviour and attitudes of the federations and can do nothing but improve public schools as a result.

1650

Everyone agrees that parental involvement is critical to the success of our schools and of Ontario students. But today, in many Ontario publicly funded schools, parents are not welcome unless they show up to sell cookies or protest on the federation side of education issues. When there are problems in schools, especially at the elementary level, parents are afraid to speak up lest administrators and teachers retaliate through their children. I've had parents who are on the opposite side of this issue admit that very freely in our consultation sessions; this is not a partisan interpretation of what's going on. Many highly capable parents who could contribute their professional skills to the schools have abandoned school councils and other volunteer activities because of the petty machinations and paternalism of administrators and teaching staff. Communications to school councils from outside organizations such as ours are routinely censored. Curiously, however, anti-government propaganda from the green ribbon crowd seems to have no trouble reaching parents.

Principals have been able to get away with such high-handed behaviour because there are no consequences to such actions. Affordable access to independent schools introduces such consequences to public schools. The evidence is in from Calgary, Minnesota and around the world. Whenever principals in public schools are faced with the prospect of having some of their students walk, they become much better listeners.

We've heard a lot of Chicken Little scenarios about what will happen if more parents choose independent schools. But the kind of school choice that will be facilitated by the proposed education tax credit has been available to parents around the world for a long time. Denmark has had independent schools for more than 150

years. In Sweden, a country not usually noted for being a bastion of market capitalism, independent schools have been funded for almost 10 years—funding which has the support of all major political parties across the left-right spectrum in that country. Closer to home, school choice is well established in Canada, particularly in Alberta, BC and Quebec, which, not coincidentally, consistently score well above Ontario in provincial and international tests.

One of the other lessons from other education jurisdictions, by the way, is that once choice is implemented it may be modified but it is never withdrawn.

One of the most frequently voiced objections to the tax credit is that it will weaken the public system's ability to socialize and integrate students from different backgrounds. Critics of independent schools charge that they are bastions of intolerance and segregation and that, by encouraging parents to leave the mainstream, the tax credits will balkanize Canadian society. "Balkanize" is an interesting and ironic term. Yugoslavia had one state school system under the Communists for over five decades, yet the ethnic hatred there is worse than ever. In fact, most independent schools enroll students from many different religions and ethnicities, giving the lie to allegations that independent schools are intolerant. Furthermore, there is no evidence that Ontario's Catholic schools, or religious schools in Alberta, Quebec, BC and Manitoba, are producing religiously intolerant or disconnected students.

I don't want to use up all of my time reading, so I'll go very quickly through the end.

There are conditions that have been suggested should be attached to the tax credits, conditions such as teacher certification. On that score, we are highly skeptical, given the natural-learning obsession of Ontario's faculties of education, that certification equates to teaching effectiveness. We believe that there are many uncertified but very qualified individuals who should be able to teach in Ontario schools. We don't think that requirement should be applied to independent schools.

With respect to curriculum, we believe that independent schools must cover the provincial curriculum. But auditing of these schools to confirm that this is being done must be done by a body independent of the Ministry of Education. We have had numerous reports of ministry officials harassing independent schools and home schoolers by evaluating them against standards so high that most public schools would fail if they were applied to them.

Testing: we believe very much as an organization in testing, but we have some concerns about the EQAO testing being used, for two reasons. It's very costly, but the other thing is that it's prescriptive in terms of forcing teachers to teach certain units a certain way—a way we don't think is very effective. For that reason, we feel that independent schools should be given the option of picking other recognized tests, such as the Canadian Test of Basic Skills, as alternatives.

I'll finish with a little note here about, will there be a mass exodus? Will independent schools bleed the public

schools dry? No. A mass exodus did not take place when other provinces began to fund independent schools. Even at 50% funding, the free, publicly funded schools enjoy a huge competitive advantage. With more money and resources than most independent schools, the publicly funded schools are well positioned to respond to the tax credit challenge and we believe they will. We believe that eventually somewhere between 15% and 30% of Ontario students will be in independent schools. But in that scenario, the public school around the corner will be a better school and all students, not just those who can afford it, will have access to the best education that Ontario can possibly give them.

The Chair: Thank you very much. We have a minute per caucus.

Mr Marchese: Mr Bachmann, you and the Fraser Institute have said so much today that it would be lovely to be able to have more time. I respect your views and your activism in this field. I disagree most profoundly with your position.

On the issue of Sweden, just quickly, you probably might agree with me that Sweden is a totally different country. Here, unions are reviled by people like yourself, the Fraser Institute, the corporate sector, and that has trickled down to the population. In Sweden, the corporate sector and the unions work hand in hand. The cultural situation there is radically different.

You also say that in public schools parents are frightened. I was a trustee with the Toronto board of education for eight years. I've seen schools where principals were driven out because of parent activism, in some cases for good reasons. So we have it and we encourage that kind of activism.

Mr Bachmann: It's not widespread through the whole system. The number of schools where that is the case is a very small minority.

Mr Marchese: You're probably right. In a smaller school, it's probably easier. If you've got 98 in a school, it's probably easy for parents to have a greater say and a greater direction in terms of where they're going; in a bigger system, it's a little more complicated. But my commitment is to making sure that we work with parents and we work with the system to change it, rather than saying, "Ha, it's better in a private school. It's much easier to get a certain type of philosophy, a certain type of approach, a certain type of religion." I just don't support it.

Mr Bachmann: Mr Marchese, we have tried as an organization for 10 years to deal with principals in individual schools and have found them to be, on the whole, unresponsive to our pleas. So we believe we can only get their attention by giving parents alternatives.

Mr Hastings: Mr Bachmann, I'd like to pursue this subject of alternatives a little. From your own experience, your own membership organization's experience and that of other people you've probably dealt with, parents, grandparents etc, who have children in the system, why is it there is such a culture of intolerance or this fear factor of what may happen if this went through? To me, it's

comparable to what we heard from the opposition parties and the critics way back in 1995, that tax reductions wouldn't work at all, that they're totally useless, totally irrelevant, and in fact it grew the economy. Do you see comparisons there?

Mr Bachmann: I don't know if I necessarily see comparisons there. I'm sorry, the point about—

Mr Hastings: Why do you suspect there is such a cultural intolerance, in your viewpoint, about phasing in alternatives, whether it's school testing, home schooling—

Mr Bachmann: I've got it. What we have is really a monopoly, and you have in that monopoly people who have certain power. People in monopolies don't give up power voluntarily. That's really what it is: it's a power game. The federations don't want to lose their power; the school boards don't want to lose their power. That's really all it is. No more than Robert Milton is too happy about what's happening with his competitors.

Mr McGuinty: Thank you for your presentation, Mr Bachmann. Why do you think this government has been so unsuccessful in terms of bringing about improvements in learning in public education? By way of contrast, just one example, over the course of four years Tony Blair in England brought his student population from a success rate, when it comes to numeracy and literacy, at somewhere around the 50% level to 75% and 80%, respectively. Here in Ontario today, one half of our children are still failing to meet the basic standards in reading, writing and mathematics. Tony Blair increased funding every year. He has brought in 23 million new textbooks. He created leadership for head teachers so their principals can develop greater leadership capacity and lead learning in a better way. He supported teachers throughout and improved their capacity to teach in different ways. They have been on the job for six years now. Why have we been so unsuccessful in this province in bringing about improvements in learning in public education?

Mr Bachmann: To get back to Mr Marchese's point about different cultures, it's a very different situation in Britain. Being familiar with one of those schools that brought its students up from being near the bottom in the national rankings to near the top, the Calvert public school, the principal of that school did a lot of things that are totally unacceptable to the people in our system here. She brought in testing for every grade and she evaluated her teachers against those tests and said, "If your students aren't learning, why aren't they learning? Let's sit down and work together." She was allowed to use phonetics to teach her kids so they could read where before they couldn't. That is why Tony Blair is working. He's got a system there that's much more receptive to some of the things we want. We have tried for 10 years to get them into Ontario schools. We haven't succeeded. The only way it's going to happen is if parents have a choice outside the system.

The Chair: With that, we've run out of time. On behalf of the committee, thank you very much for your presentation.

1700

MORRIS WINCHEVSKY SCHOOL

The Chair: Our next presentation is from the Morris Winchevsky School. I would ask the presenter to come forward, please, and state your name for the record. On behalf of the committee, welcome. You have 20 minutes for your presentation.

Mr Howard Kaplan: First, I would like to thank the committee for giving me the opportunity to come up and speak.

My name is Howard Kaplan. I'm a board member of the Morris Winchevsky School—in fact I'm vice-president of the Morris Winchevsky School—which is a small Jewish school which holds after-school classes on Sundays. The shule, as we call the school in Yiddish, is associated with the Board of Jewish Education in Toronto. Our distinctive, contemporary, progressive, secular Jewish curriculum emphasizes Jewish history, humanism, social justice, relevance and cultural heritage. Students from kindergarten through grade 7 learn by studying Jewish historical milestones, literature, Yiddish, Hebrew, drama, music, arts and crafts, participation in community and family-oriented celebrations of the Jewish holidays. Many of the students are enrolled in the public school system during the week, and a number go to private schools as well.

My remarks here, I might add, are my own opinions. However, I have consulted with other members of the board, and I'm fully confident that what I have to say is shared by the entire board of the Morris Winchevsky School.

Back in 1984, the Bill Davis government extended full funding to Catholic separate schools in Ontario, thus bringing the Catholic high schools fully into the public education system. However, among the conditions the separate high schools had to meet were those of accountability and inclusiveness. They came fully under the auspices of the Ministry of Education, and the Catholic school boards agreed to admit non-Catholics into their high schools if the parents and children so wished.

In May 2001, the Mike Harris government, through the Minister of Finance, without any prior announcement, extended a form of public funding for all private schools in Ontario. However, this was done without any consultation at all within the education system as a whole. This money is not to go to the schools themselves but to the parents or guardians of the pupils of the private schools. This way, the private schools cannot say they are beholden in any way to the government, and they remain outside the auspices of the Ministry of Education. They remain, in many ways, exclusivist and unaccountable to the public in any way.

The government says they are bringing in this measure in order to provide choice for parents. Yet with the restrictive funding formulae imposed on the public education system—and here I mean both the public and

Catholic separate schools—this government has in fact restricted choice for the parents of this province.

Toronto has had up to 27 alternative schools operating within the public education system, and I give examples: the triangle program at Oasis Alternative School, serving the unique needs of gay, lesbian, bisexual, transgender and questioning youth; the Nighana program, an Afro-centric transitional program; the First Nations school for aboriginal children; programs to assist children with learning and behavioural difficulties and much, much more. In the past, the Toronto school system was one of the best-known and admired school systems in North America. It was a school system that provided choice for the families of Toronto.

Since this government has taken office, however, it has turned the funding of public education on its head. The funding formula has resulted in less choice for the families of school-aged children. By restricting the amount of assistance for children with learning or behavioural difficulties, it is telling the parents of those children that their children have no place, and their parents have no choice, within the public school system.

I'm not just stating my own opinion. I know personally of two families who have had to remove their children from the public school system and place them in private schools because the public school did not have the resources to educate their children, who have learning difficulties. In one case, where the child has a mild form of autism called Asberger syndrome, the school authority actually advised the parents to do just this; the school could just not afford to teach their son. In both cases, the parents were fortunate in that they could afford the cost of private schooling. In both cases, the schools could not fulfill their mandate of inclusiveness. In both cases, the parents were denied the choice of having their children educated within the public school system, which they have been supporting with their taxes and which they all support with their hearts. They have in fact become refugees from the public education system.

The de-funding of the public education system, of which this tax measure is but a part, strikes at the most marginalized part of our children. The cutbacks in support for these children will lead to an increase in social failures, especially among those children whose parents cannot afford to pay for the help their children need, help which by right must be fully available within the public education system. This consequence can only result in increased social and personal costs to be borne by individuals and by society at large.

The public schools do not have enough textbooks and supplies for all their students. The school boards do not have the flexibility that comes with budget powers to negotiate fair contracts with their staff. One of my friends told me of the school to which his children go, a school badly in need of physical repairs—it's McMurrich public school, by the way—and these repairs are not within the budget of the Toronto District School Board. This includes repairs to the walls, repairs to the brickwork, repairs to the physical plant, repairs to the plumbing and

so on. Demoralization and frustration are growing in the schools. Programs are being cut back or eliminated. In short, the government has created the very crisis that John Snobelen talked about six years ago when he took over the ministry. No wonder parents are becoming disillusioned with the public education system.

By rewarding parents for removing their children from the public school system and punishing the public schools for failing to hold on to these children by \$7,000 per child, the government stands to make up to \$3,500 for each child taken out of the public school system and put into the private schools. It could be quite lucrative for the government if enough parents go this route, perhaps earning the government enough to finance their next tax giveaway to the wealthy. This measure only confirms what most observers have seen: that this government regards the education system not as an investment in the future of our society but as a great big cash cow—a boondoggle, if you will—for giveaways to those special interest groups who are their friends.

This government justifies this measure by calling it fair for all groups of people who opt for private and faith-based schools. Surely it should not be the burden of society as a whole to support schools which, by their nature, are exclusive in their admission and curriculum, serving a very narrow segment of society who wish to withdraw from the public education system. Surely it is the job of those segments of society that the private and faith-based schools serve to support those schools.

For example, the Board of Jewish Education has under its aegis 44 primary and secondary schools in the Toronto area. It is open to all Jewish children and provides subsidies to those parents who cannot afford to pay full tuition. It is funded by the Jewish community as a whole through funds set up for this very purpose. Thus, very few Jewish children are actually denied access to these schools because of lack of ability to pay. The parents of the children in these schools have chosen to take their children out of the public school system for a number of reasons, some of which I mentioned above. But other reasons are a desire to have their children taught apart from the general community at large and taught within the confines or within the parameters of the Jewish community in all its variants, from the secular to the orthodox. I do not believe that the parents of today's children should be rewarded for siloing their charges in private, non-accountable, faith- or ethnic-based schools, apart from the general mosaic, which is our Canada.

1710

I can remember when, as a pupil at Regal Road Public School in the mid-1950s, I participated in a multicultural event—although the word “multicultural” did not exist in our lexicon at that time—where we each presented individual projects on our own ethnic backgrounds. We had projects on England, Scotland, Ireland, Sweden, Poland, Israel, Russia, the West Indies, Africa and many other countries and regions. We were made aware of not just the uniqueness of each of us, but also of the many similarities we have. We came out of that project—

remember, it was over 45 years ago—with a greater understanding of who were not only as individuals, but also as Canadians, and with a greater respect for what each of us had to contribute to the Canadian mosaic.

The public school system is truly in dire straits. Surely it is the role of the government to ensure that the public education system continues to be fully funded in all its aspects, with long-term plans in hand to serve all the children in the province with the fully rounded, all-inclusive education system that was admired across the country and the continent.

I'm sorry; I did not include some information about myself. I can give you my e-mail address, which is shkaplan@sympatico.ca. I am a wage slave—I have a regular office job—so I was forced to do this in about one and a half evenings' work. I apologize for the errors, the typos, in this document. Thank you very much.

The Chair: We have approximately three and a half minutes per caucus, and I'll start with the government side. Mr Hastings.

Mr Hastings: Thank you very much for appearing today. When you talk in your last statement about the schools across Ontario being admired continent-wide, worldwide—

Mr Kaplan: Just continent-wide and country-wide. I can't speak for Europe or Africa or Asia.

Mr Hastings: As a teacher I know there were many groups of teachers, parents, educators and business organizations from Europe that used to come to Ontario—and still do, I suspect—to see what is going on in education and in other issues in our society. My concern and my question to you, centrally, is that you argue for more money in the public school system—elementary, secondary—and I suspect you would subscribe to the thesis that a limitless amount of more money—\$2 billion, \$3 billion, \$4 billion, \$5 billion—would essentially cure any of the ailments or any of the problems we may have in the system, that the school boards would get nicely rounded up, be nicely secure in their approach, and the world could go on. As one of our young people said, “Give us a break for the summer, and life will be marvelous.” I guess like Father Knows Best on television.

Do you subscribe to the general view that money is essentially the only problem in the public system, and if they had \$2 billion, \$3 billion or \$4 billion more, we'd be pretty well on the road to solving most of our problems?

Mr Kaplan: No, I do not.

Mr Hastings: You do not?

Mr Kaplan: No, I do not. The first thing they need is resources—not just money but resources—and an ability to do the long-term planning they were able to do when they had more control over their budgets. Right now, they do not have any control over the amount of money they can raise. Their budgets are fixed, not by them but by Queen's Park, by the government, by the ministry. As a result, they're saying, “Here's your pot of money. You must spend a certain amount of it in the classroom.” The school must also provide assistance for children with special needs. There is not enough money for them, as I

have cited in at least two cases where the parents could not get the help their children needed to become fully functional participants in our society.

The Chair: Thank you very much. I have to go to the official opposition. Mr Phillips.

Mr Phillips: Thank you, Mr Kaplan, and I apologize that we do not have more extended hearings. I saw you rush in from work—

Mr Kaplan: And I have to rush back. I've just been paged.

Mr Phillips: It's tragic. We tried to extend these hearings so that people like you wouldn't be treated this way.

I just want to make a couple of comments and then a question. The previous two presenters indicated that this is going to result in between 15% and 30% of students enrolling in private schools. He was one of the first presenters and had done a lot of research that indicates that's what's going to happen—and that's at 50% funding.

The National Citizens' Coalition has said this is the most important education public policy initiative going on in North America. The Fraser Institute said it's the biggest move in 100 years. This is going to fundamentally change education, in spite of what the government may say.

My question is this: two years ago Harris said these words in arguing against extending funding, and I'd like to get your impression of them. He said, "One of the strengths of the public system of education is to provide the venue where people of all colours, races, national and ethnic origins and religions interact and try to come to terms with one another's differences. In this way the public schools build social cohesion, tolerance and understanding. Extending public school funding rights to private religious schools will undermine this ability and result in a significant increase in the number and kind of private schools. This would have an adverse effect on the viability of the public school system which would become the system serving students not found admissible by other systems.... It would lead to increased public school closings and to the reduction of the range of programs and services."

Have you any indication from your experience in education why Mr Harris would have felt that way two years ago and then fundamentally changed his point of view today?

Mr Kaplan: I cannot speak for Mr Harris; he would have to speak for himself. My guess, however, just looking at the figures, is that for every child who is taken out of the public education system and put into a private school, that school loses approximately \$7,000, of which up to \$3,500 goes to the parents—not to the school, but to the parents. In many schools it won't even be that much. I've heard from the Islamic schools that their tuition is much lower than \$7,000, so the parents would get maybe \$2,000 of that if they're lucky. That would be a net profit of at least \$3,500 per student going into the general coffers.

The Chair: Thank you very much. Mr Marchese.

Mr Marchese: Thanks, Howard, for taking the time from work to come. Two quick questions. First, Mr Hastings asked you if putting \$2 billion back into the education system—it's almost \$2 billion that they took out—would cure the problems. You said no.

Mr Kaplan: Not by itself.

Mr Marchese: Would taking \$2 billion out help solve the problems? That's the other way to put it.

Mr Kaplan: Where would the money come from? Right now, many schools don't have enough textbooks or supplies for their students. Children have to share books. After-school activities are being cut back. Facilities are being closed, swimming pools are being closed, music programs are being closed down.

I could visualize classes being held under a tree out in the schoolyard, because there isn't enough room because they've had to pull down the portables.

Mr Marchese: But the point—we're agreeing, obviously. If you take \$2 billion out, then you've got fewer programs.

Mr Kaplan: That's right.

Mr Marchese: It may not solve problems, but by taking out you're certainly going to create problems.

Mr Kaplan: A lot more problems.

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Mr Marchese: That's the point. But you raise another point here having to do with young people with learning disabilities. You said the way they solved it, because they had the money, was to take them to a school where they could deal with their very individual concerns, which the public system couldn't do. The way Mr Hastings solves this problem is, "We underfund public education. Too bad if young people with learning disabilities can't get the help. But if you've got the money, now you've got choice, because we're going to help you to take them out and put them in a system where they might be able to help." That's what they're doing.

Mr Kaplan: I couldn't agree more. This is actually removing the choice within the publicly funded public school system. It's forcing parents to seek the private sector with their own funds, and only those parents who can afford it. I shudder to think what would happen with these two children if their parents were not doctors or city planners.

The Chair: With that, I must bring it to an end. On behalf of the committee, thank you very much for your presentation this afternoon.

ONTARIO HERITAGE FOUNDATION

The Chair: Our next presentation is from the Ontario Heritage Foundation. I would ask the presenter or presenters to come forward and state your name for the record. On behalf of the committee, welcome. You have 20 minutes for your presentation this afternoon.

Mr Allan Gottlieb: Allan Gottlieb, chairman of the board of the Ontario Heritage Foundation. This is my colleague, Beth Hanna, from the foundation. I appreciate the opportunity you're providing me to speak to you

about the provisions in the Ontario budget to protect heritage resources.

As the lead provincial heritage agency, the Ontario Heritage Foundation is concerned that renewed efforts be made to ensure the preservation and celebration of the province's heritage for the benefit of Ontarians, now and for the future. The foundation believes that a vibrant heritage preservation strategy can lead to significant economic development and a strong sense of civic pride in communities across our province.

I would like to congratulate this government on making a place for heritage preservation in the Ontario budget, 2001. The budget announces that "To encourage the restoration and preservation of heritage properties, the government proposes to give municipalities the ability to provide property tax relief to owners of buildings that are designated under the Ontario Heritage Act as being of architectural or historical value."

I know that many municipalities, heritage organizations and individuals have asked for this provision. For some time the board of the heritage foundation has encouraged the government to amend the Assessment Act to allow for tax incentives for heritage preservation. Let me say how pleased I am that the government has seen fit to recognize this request. This initiative will, I'm confident, benefit communities right across Ontario.

I would encourage you, as you determine how best to implement this provision, to ensure the provision of tax relief to owners of property protected by heritage conservation easements—easements would be very important—and to owners of both commercial and residential properties designated under the Ontario Heritage Act in the province. It is important that the provision be inclusive and, from an economic standpoint, meaningful enough to serve as a significant incentive to the private sector.

I note in the budget that the government has made a commitment to consult with stakeholders on the new tax provision. The Ontario Heritage Foundation will be very pleased to participate in that consultation process, as we are to be here today.

I have long been concerned about the lack of economic incentives favouring preservation. Other jurisdictions have successfully used tax incentives to encourage downtown core development and revitalization. New York, Miami, Denver and smaller cities such as Savannah have achieved tremendous results through tax relief in revitalizing downtowns and neighbourhoods—these are just a few examples—as some Canadian cities have as well. Victoria is an example. Incentives ensure that developers and owners are rewarded for preserving heritage buildings rather than demolishing them.

Ontario is falling behind other jurisdictions in its recognition of the importance of heritage and culture in the economic life and vitality of our towns and cities. Heritage preservation has been a vital element in the rebirth and renaissance of many American cities, but in Ontario we continue to suffer lax heritage preservation

laws and neglect our downtowns, our central parks and our waterfronts.

In Ontario we have, I believe, an unfortunate situation. The owner of a designated property can tear it down within six months. It cannot be prevented. The weakness of our heritage legislation makes it doubly important that we create new tools to support preservation.

Heritage preservation, as I said, should be seen as a major economic development strategy. The government has committed, in the budget, to invest in strategic infrastructure to support Smart Growth. This investment in infrastructure must include heritage infrastructure. In other jurisdictions implementing Smart Growth strategies, a strong commitment has been made to the protection of natural areas and cultural heritage, to building healthy communities, as well as to transportation and housing. Chicago, Atlanta and Cleveland can be cited as examples.

In Ontario there has, in recent times, been an increasing groundswell of public support for heritage preservation, as evidenced by participation in events like Toronto's Doors Open last weekend and the response to the Ontario heritage challenge fund community program. Some 73,000 people explored more than 90 heritage buildings across Toronto during the Doors Open weekend in May.

The foundation has been pleased to administer, with the province, the Ontario heritage challenge fund community program. The \$5 million provided by the government has been matched by communities. It has resulted in an investment of well over \$10 million in community capital work on heritage across the province. This program has been a wonderful success. The number of applications for the program for marvellous buildings greatly exceeded the funding available and the board was disappointed that we could not fund more projects. This program proved itself to be a positive tool for community development as new partnerships are developed with the private sector. More matching funding of this type is clearly needed and I hope the government will provide it.

In spite of the tremendous public support, heritage buildings in Ontario continue to be at risk. Canadians have lost between one fifth and one quarter of our built heritage in the last 30 years. A survey conducted in 2000 for the Heritage Canada Foundation shows that Canadians are concerned about conservation of heritage and that fully nine in 10 Canadians consider conservation to be important to Canadian culture and identity.

The desire to preserve our heritage is now increasingly reflected in the work of some of our more far-sighted and imaginative developers. As they learn that historical architecture is valuable, heritage values are also gaining influence in the commercial real estate market. Where once they might have been bulldozed, they now more often want to integrate heritage into their plans, protecting natural and cultural features as valuable, even precious, assets. This they can do because they are beginning to sense that this is what their clients and the public

want. We are seeing marketers employ a heritage ethos to sell products.

In some places heritage has become the principal component of the package of attractions that draws tourists to a city. Heritage is the primary factor in much of tourism around the world. Whole regions can be, have been and are being revitalized by heritage tourism. And corporations increasingly recognize heritage as a vital aspect of the environment in which they operate and compete.

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The blossoming of heritage in the private sector does not mean that governments can ignore the field—far from it. Governments have power and authority that individuals and private commercial interests lack. It is the duty and responsibility of government to use their unique prerogatives to do the things that only they can do on behalf of all of us.

Taxation is one conservation tool that lies exclusively within the government domain. The leadership being shown by this government in introducing tax incentives for the preservation of heritage buildings is significant because within a sympathetic tax environment, market forces will work to save heritage buildings and could actually have a transforming effect.

I congratulate the government on taking this major step forward, but much work remains to be done if we are to preserve our built, cultural and natural heritage for the use and enjoyment of future generations of Ontarians.

The Chair: We have approximately three minutes per caucus and I'll start with Mr Phillips.

Mr Phillips: Thank you very much for being here. I might add you're a welcome interlude in what's been mainly a debate on the tax credit program, with strongly held views on many sides.

I appreciate the work your organization does. We live in a 160-year-old farmhouse so I have some interest. I very much, by the way, agree with you on the economic aspects of it. I think there is much tourism around the world that's really built on this.

The budget is not particularly specific on what's proposed and there are no funds provided for it in the budget that I can see, but that's fine. I gather whatever it is, it's supposed to take effect January 1, 2002.

I have a couple of questions, just in case we run out of time. One is, I think you mentioned that taxation policy is important, but have you any legislative advice for us on how we might do a better job in this area? Particularly, you used some examples of Cleveland, Atlanta, Chicago, and I think you mentioned New York. So a twofold question: what is the expectation of what may happen here in the budget, because it's just words—you must have had discussions—and secondly, have you any advice for us on things provincially, legislatively that we should be considering?

Mr Gottlieb: In terms of my expectation of what would come out, I am really not privy to any particular thoughts at this point other than that we regard this as a very significant commitment. What will be very important is that when the details are fleshed out, they are

meaningful and they provide incentives. As I said, it's very important that it includes not just commercial but residential property, because some of the glory of our province is in the domestic architecture where people live, these wonderful areas of Victorian, Edwardian and old houses, maybe like your own. Also, easements are very important, where people enter into agreements with the government to preserve their property. I hope people would be encouraged, through tax, to enter into these agreements.

What could be done by way of legislation? It's a big subject so I can make a big statement. I think the Ontario Heritage Act needs to be amended. It should have been amended a long time ago. It's 25 years ago that it was passed. I have to say in the greatest non-partisan spirit that we've had in this province governments that were NDP, Liberal and Conservative; this act has not been touched through all this time and it's overdue. It's out of date.

We have a very elaborate Ontario Heritage Act, but the centre of it, the core, is that you can tear down a building even if it's designated as historic or of national or regional importance. It can be torn down by the owner within six months. You can't stop him or her. That's unfortunate. There's got to be a better process and there's got to be a better balance between the interests of the community, the citizens and the owners.

I think this heritage act should be reviewed. There should be a full and complete review of the legislation. It's out of date; we've got to get it ready for the 21st century.

Mr Marchese: I thank you both for coming. It's good to have you there as a chair, Mr Gottlieb, because I think you're very helpful.

Mr Gottlieb: Thank you.

Mr Marchese: If only this government could be as radical with heritage as they are with tax credits for private schools—if only. The problem is that this is a different kind of political issue, and while this issue of heritage is so much easier to deal with, I'm not quite sure why they haven't moved on that front.

To be fair, New Democrats introduced the discussion on a new heritage act when we were there, and I must admit we failed too. We could have presented it because we did a lot of work during the consultations with all the various people in the heritage field. We didn't do it and I regret that.

On the other hand, I said to the minister, "Look, I'm prepared, as an opposition critic, to support you. Just bring it forward. Any modest thing is better than nothing." I put in a private member's bill that would say, "Give the power to the cities to prevent demolitions," because that's a very good power that the city could have. To give the city the power to give tax credits—isn't that a wonderful thing? Cities are broke. Why couldn't the province take this task on of saying, "We will offer the incentives," instead of saying to cities that are broke, "You have the power to give those incentives"? What do you think about that?

Mr Gottlieb: I think the incentives will be through the tax system generally. We don't know their design but, as I understand it, it won't necessarily be limited to a real property tax. We don't know what those incentives will be. I think this clause, this tax relief, has the makings of a radical step forward, depending on how it's defined, how significant it is in creating incentives. The payoff for municipalities is in economic development, in the impact, because it changes the economics of buildings.

For example, I was just reading very recently about Red River College in Manitoba. They used four marvellous old buildings in the centre of town and they gave them a 10-year tax holiday. I think that was done at the municipal level. That's going to transform that whole market area, which has been in the doldrums for years.

This is provincial legislation. They are responsible—and I am not a tax expert—under the Assessment Act for how properties are assessed. I think there is a real potential here to move in such a way through such assessments to have radical results.

Mr Hardeman: Thank you, sir, for your presentation. As Mr Phillips mentioned, it's somewhat of a change to be talking about some of the other things in the budget bill, particularly when someone as prominent as yourself comes to speak to us about it.

I was very pleased to hear all the positive comments about the budget and where it's going. Of course, you raised a little concern when you used the word "but" after you had given most of your presentation, but I agree with the "but," that much more needs to be done. I would also agree with you—and we're very pleased—that as a government we're able to work with our partners in funding programs to leverage more investment into the preservation of heritage. So I think we will be able to move forward and improve the heritage assets within our province.

I just wanted to talk quickly about the changes to heritage taxation. I know—and maybe you could correct me if you have a different vision of it—that the Oxford county courthouse, a building in my community, is publicly owned, so it doesn't really apply. If that was a privately owned building and was assessed for taxation, it would be worth about three times the value of a similar building with similar office space. So it's reasonable to assume, on a straight assessment, without any conditions for heritage, that it would pay for someone to tear it down just to have a lower level of taxation. To me, that doesn't make a lot of sense. It makes a lot more sense to have a different rate of taxation because of that heritage designation, so that it's an advantage, not a disadvantage, for someone to preserve a heritage building.

When I look at some of the other partner programs, I think if we work together to protect our heritage without spending—in this case, you don't have to spend extra dollars, you just have to make sure you don't have disincentives in place for people to preserve their heritage buildings. I would just put that to you.

Mr Gottlieb: I think this removes that disincentive. It creates a positive incentive and the money comes from

the private sector. It's their investment, but they have an incentive in that there's a tax advantage for them. What that tax advantage is, how it's spelled out, how significant, is the responsibility of the government and the hearings you will be having. I think it's very important. I can't flesh that out as an expert in any way, but we do know—and I think it would be very important to look at what other jurisdictions have done, because we can learn from others. We can learn from their mistakes, what worked and what didn't. We know that cities and areas have been transformed through the use of the tax system. It has a tremendous potential for us.

The Chair: On behalf of the committee, thank you very much for your presentation this afternoon.

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HALTON DISTRICT SCHOOL BOARD

The Chair: Our next presentation is from the Halton District School Board. I would ask the presenter or presenters to come forward, please, and if you could state your name for the record. On behalf of the committee, welcome. You have 20 minutes for your presentation. Go ahead whenever you're ready.

Dr Dusty Papke: First of all, Mr Chair, I'd like to thank you for the opportunity of presenting at the committee. It wasn't easy to get here today, but we did manage. This is of very critical importance to our education system in this province.

My name is Dusty Papke, and I'm the director of education of the Halton District School Board. With me is the chair of the board, Ethel Gardiner, and trustee Debbie Downs from Burlington.

First of all, let me state that I have no political party affiliation, so my position on the matter before this committee is not politically motivated. However, let me admit freely that I'm a passionate supporter of public education and hold an unshakeable belief that a strong, publicly funded education system is the very underpinning of our democratic society. I also believe our public education system is under attack as part of an agenda that is ideologically driven and unresponsive to the wishes of the majority of Ontarians.

The mission and guiding principles of the Halton District School Board's strategic plan are prefaced with the following statement: "Public education has been one of the major cornerstones of a prosperous and democratic Canada. We believe its essential and critical role must continue."

Public schools are the foundation of a tolerant society. Students from all backgrounds and cultures who live and grow and learn together set the climate for social peace and understanding. We believe our public schools play a vital role in the reality that we in Canada live in a country relatively free of the strife and intolerance demonstrated in many other parts of the world. We believe funding private schools, directly or indirectly, will encourage fragmentation and segregation.

Government members have cited equity and choice as the rationale for the imposition of this tax credit proposal. For the record, we are not opposed to choice. We are opposed to the right to any choice at public expense. This is not affordable, any more than any personal choice of alternative health care at taxpayers' expense would be affordable, or the provision of tax credits for those who chose to not drive on our highways would be affordable.

However, this is not about choice. Choice already exists. Private schools already exist. This is about encouraging parents to withdraw their children from an already underfunded public system. It is about a further reduction in funding for the public school system. For every student who can be enticed from the public school system the government will grant up to \$3,500 in tax credits, but reduce funding to the public school system by almost \$7,000 under its student-focused funding model. To quote Clayton Ruby, "If people pull their children out of public schools, it is good economics for the government that doesn't want to fund schools and bad economics for kids."

The Halton District School Board believes, perhaps naively, that anyone who has seriously and objectively followed the happenings in public education over the past few years should be aware of two things: (1) the public school system has been in constant turmoil as it has attempted to deal with one useful crisis after another, and (2) the public school system is woefully underfunded.

While expectations have been increasingly raised, standards changed and accountability levels heightened, funding has not been provided for our school system to respond. Additionally, we are now faced with the prospect of tax credits for parents of children in private schools, in essence indirect funding to private schools—and it will be at the expense of the public school system.

Our position is very simple: the government of Ontario should not even consider funding to private schools, directly or indirectly, while the public school system, the only school system open to all children and charged with meeting the educational needs of all children, is clearly under-resourced. Despite claims that the government has substantially increased its support of public education this year, let's look at the actual funding provided to public school boards.

In the recently released general legislative grants, which arrived more than two months late, the government announced an increase in funding of \$100 per student to "allow boards flexibility to address local priorities." The reality is that much of this funding is simply restated dollars taken out of the system and re-announced.

The government withdrew the money provided in 2000-01 to deal with escalating fuel costs, both for transportation and heating. These costs are projected to continue to rise significantly and the deregulation of hydro is projected to raise those hydro costs by a minimum of 20%. We have been told that those can be covered from the \$100 per student for local initiatives.

There has been a 50% reduction in the grants for curriculum reform materials. This is to be taken from the \$100 per student for local priorities.

Boards will be required, by regulation, to fix the problem of the withdrawal of extracurricular activities from our secondary schools. This is not a problem caused by the school boards, but is to be dealt with from the \$100 per student for local priorities.

New standards have been mandated for the individual education plans for special-needs students, with no accompanying funding for development or implementation. It's to come from the \$100 per student for local priorities. In Halton, the cost of that initiative alone is estimated at approximately \$638,000.

A new process has also been mandated for the ISA claims that are required to access special education funding. The dollars for special education have been frozen, deceptively called "stable funding," despite an increase in the number of special-needs students. This expensive initiative is also to be funded from the \$100 per student for local priorities.

Technology continues to change rapidly and school boards are expected to keep pace, both in terms of instructional technology and the ministry's expectations for administration. Despite the expectations raised by the ministry this past year, in the end, there are no dollars to address these initiatives. They are to be funded from the \$100 per student for local priorities.

There is no recognition in the funding for the changes in construction costs that have been experienced since the student-focused funding model was implemented in 1998. Our costs have increased significantly, but the government still provides \$117 per square foot for elementary and \$126 per square foot for secondary construction. This is not realistic.

By May 2001, most school boards had two-year collective agreements in place with their teachers, and the government was well aware of that. However, there is no provision for salaries and wages in this year's funding. It's to come from the \$100 per student for local initiatives.

Finally, the increase provided to boards, once adjustments have been made for enrolment increases, is, according to the government's figures, 1.8%. The inflation rate for the year has been pegged anywhere from 2.8% to 3.2%. That's a significant shortfall. The \$100 per student does not even allow school boards to maintain the status quo, let alone any local priorities.

Much has been made of the \$360-million increase to funding of public education. It's a large number. However, as a proportion of the overall budget required for education, it does not cover the initiatives being mandated for publicly funded school systems—mandates which are not required of private schools.

The government has stated that it now spends more than ever before on education. I think the figure being tossed around is \$13.9 billion. However, what is included in that total? Certainly TVO is a nice resource for our

schools, but it should not be counted as part of the public education budget.

The costs of the Education Quality and Accountability Office and its province-wide tests are part of the public education budget. I'm not opposing the tests. Please don't misinterpret my remarks. But counting these costs, added by the government, as part of the public education budget means less money for school boards and schools to deliver their mandate.

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The burgeoning centralized bureaucracy required to manage the unbelievable accountability exercises implemented by the Ministry of Education further reduces the dollars available to provide service to students. As an example, we were recently informed that we are to be part of an audit, conducted this June, of the new IEP standards. The standards were released early in 2001. The ministry held their information session with boards on March 21 and the new IEPs are to be in place for September. Yet the ministry is conducting an audit in June, knowing that no board can possibly be in compliance. We will be in September. What is the cost of such audits? They do increase the amount that can be claimed as spent on public education, but they don't help serve children.

The cost of the ISA process to access special education funding requires school boards to pull teachers and administrators away from servicing children and to utilize them in fulfilling a paper exercise with ever-changing rules and no impact.

So, yes, while the government is able to point to numbers and claim increased spending on education, it would seem to be a result of redefining what is to be included in the public education envelope and spending on new provincial initiatives in the name of accountability. However, we all know there are fewer teachers in schools; we have lost librarians, guidance counsellors, music teachers, physical education teachers, special education teachers, educational assistants and other support staff, and our resources are dwindling.

In this environment, how can you even consider tax credits for those who send their children to private schools? The estimated costs of this initiative run from \$300 million per year to as high as \$700 million per year. I believe that was the Premier's number. Since the government obviously has the money, we would implore you to reinvest in public education and put the \$300 million to \$700 million into the GLGs now.

We support the call of People for Education to remove 30,000 children from waiting lists for special education; to maintain funding for gas and heating costs for buses and schools; to return extracurricular activities to secondary schools; to cover costs for textbooks for the new curriculum; to ensure that elementary schools have music teachers; to keep libraries open and staffed; to restore funding for English-as-a-second-language programs; and restore funding so that every elementary school has a principal.

I am tremendously proud of the trustees of the Halton District School Board who, as a corporate body, have chosen to speak out in opposition to the tax credit/voucher system proposed by the government. They are, after all, democratically elected to sit on a public school board. They must protect, defend and advocate for public education. They must be guardians of a proven system that has served our children well. They will continue to demand resources needed to have each child in Halton's public school system reach his or her full potential. Diverting money from public education will do nothing to help achieve that goal. It will do nothing to improve our schools or to enrich the lives of our children.

We know there are a number of members of this government who understand the impact of this proposal and privately do not support it. We would urge them to speak up before it's too late. The finance minister has admitted that no research was conducted on the impact of this proposal or the cost of this proposal prior to it being included in the budget. That's astounding. To further decimate the public school system with this hastily considered, ill-advised proposal is unconscionable and, at the end of the day, the people of Ontario will hold you accountable. Please remove the tax credits for indirect funding of private schools from Bill 45.

The Chair: Thank you. We have two minutes per caucus. Mr Marchese.

Mr Marchese: I want to thank all three of you for coming. Your information is vital for these discussions because, you see, when the opposition parties say they have taken out \$2.3 billion—and we rely on statistical evidence brought forth by an economist, Hugh MacKenzie, whom they scoff at. So they scoff at that. They scoff at People for Education because they say, "Their surveys are not really to be believed." The only thing people won't believe are the true testimonies of individuals very connected to the educational system. We've had parents here who know the kinds of cuts that have been made and how that affects them directly. So when you come with your evidence, which I suggest to you is damning to them, they get very nervous, as they should.

My point is, I support a public system. I believe we need to accommodate our differences in a public system. I also don't advocate for a homogenized system where we simply try to make them of one culture. I think we can reflect our diversity and we do it well. I don't know how it's done in Halton as much because I was a trustee with the Toronto board. I know what we did there to reflect the diversity. But that's the way to do it. If there are shortfalls, if we can't deal with some of the problems, like young people who have disabilities, then we need to help and we need to put money in it and not say, "Those who have the money can go to a private school, and if you don't, too bad, so sad. You're stuck with the public system, where there's no money."

I thank you for all the information you bring. It's important evidence to bring in front of these Conservative members. Who knows? Maybe they'll listen. Thank you.

Mr O'Toole: Thank you very much, Mr Papke and board members, for coming. Just to sort of legitimize, I was a trustee for a couple of terms and saw the frustration that I know is typical. My wife is a teacher and my daughter is a high school teacher, so I'm not unfriendly to the challenging environment you're in. I'm not just sure who's leading it. But I would put to you that as a trustee in 1980-82, these are exactly the same issues. If you're a director, you know that. The issues haven't changed that much. Special ed, full funding, it's all about the same argument. They toasted the Liberals in 1990 because of the teachers' pension and they toasted the NDP over the social contract and for David Cooke, because David Cooke started most of the reforms. The Royal Commission on Learning outlined a system that was failing, and if you don't know that, you don't deserve to be a director of education. You allowed the platitudes—

Mr Phillips: For heaven's sake, John, be a little courteous.

Interjections.

The Chair: Order.

Mr O'Toole: Please don't interrupt me, Mr Phillips. I've heard the same tirade—

Interjections.

The Chair: Order.

Mr O'Toole: You said you were non-political. Your closing statement was this, "The electorate will hold you accountable," and that's appropriate. You're paid to deliver and administer, but you're contradicting most of the things that are part of the public record. In fact, the funding for education is up. For you to leave on the public record that it's down, that is absolutely an error. If you disagree with that, that's another question—

Dr Papke: Mr O'Toole, with all due respect, that is not what I said.

Mr O'Toole: Are you receiving more funding this year than last year?

Dr Papke: That's not what I said. I said we got \$100 per pupil more than last year. I pointed out, Mr O'Toole, that that is less than the inflation rate.

Mr Marchese: John, give him a chance.

The Chair: Order.

Mr O'Toole: He had 20 minutes to make his pitch. He never had a positive thing to say—

The Chair: Then with that, Mr O'Toole, I must bring it to an end because we have run out of time.

Mr O'Toole: The final thing I want to put on the record—

The Chair: Order. Mr O'Toole, I must go to the official opposition. Mr Phillips.

Mr Phillips: Thank you for a professional presentation. I appreciate the work of you and the trustees. Before you leave today, you must get a copy of the information presented to the committee just about an hour ago showing spending down \$75 million in 2001-02. There it is, down \$75 million. The points you made, they've cut out the \$39 million for heating costs in last year's budget—gone. They have \$30 million for textbooks down to \$15 million. These are the government's figures.

The reason I raise this is because I thought your presentation was professional, factual, calm and designed to help us. I very much appreciate that. We've met now for four days here and one can only get more concerned about this issue in listening to the presentations.

I would also say that educators should look at what the Harris government said two years ago about this issue. They did a lot of research then and argued strenuously against proceeding with this. Something changed. I don't know what changed. We've seen no research on it, but suddenly they decided to head down this road.

My point really is to thank the Halton board. It takes some courage, frankly, for a director to speak up like you did today. The facts the government presented today support you. You should feel vindicated, not attacked.

I guess my question is—the directors and the trustees must have discussed this—have you any idea why the government has changed its mind so dramatically from the position it held two years ago? In the educational community, is there any rationale for it?

Dr Papke: Mr Phillips, I don't think we do have any answer for that, other than what we read in the papers, and everyone else has read that. I have no idea why the sudden change.

The Chair: With that, I must bring it to an end. On behalf of the committee, thank you.

Mr Marchese: Chair, did we receive their submission?

Dr Papke: Mr Chair, we were only notified yesterday that we would be allowed to present today. We weren't told to bring copies. But I would be more than happy to do that.

The Chair: If you have a copy, we can distribute it. On behalf of the committee, thank you very much for your presentation.

A couple of items before we break. The bus will be leaving at 7 o'clock tonight for London. I hope that every member who is travelling to Sudbury and Ottawa has received a package. If not, you should contact the clerk. This committee will reconvene tomorrow morning at 10 o'clock at the Ramada Inn on Exeter Road in London.

We are now adjourned.

The committee adjourned at 1800.

STANDING COMMITTEE ON FINANCE AND ECONOMIC AFFAIRS

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**Legislative Assembly
of Ontario**
Second Session, 37th Parliament

**Assemblée législative
de l'Ontario**
Deuxième session, 37^e législature

**Official Report
of Debates
(Hansard)**

**Journal
des débats
(Hansard)**

Friday 15 June 2001

Vendredi 15 juin 2001

**Standing committee on
finance and economic affairs**

**Comité permanent des finances
et des affaires économiques**

**Responsible Choices for Growth
and Accountability Act
(2001 Budget), 2001**

**Loi de 2001
sur des choix réfléchis
favorisant la croissance
et la responsabilisation
(budget de 2001)**



**Chair: Marcel Beaubien
Clerk: Susan Sourial**

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LEGISLATIVE ASSEMBLY OF ONTARIO

STANDING COMMITTEE ON
FINANCE AND ECONOMIC AFFAIRS

Friday 15 June 2001

*The committee met at 1000 in the Ramada Inn, London.*RESPONSIBLE CHOICES FOR GROWTH
AND ACCOUNTABILITY ACT
(2001 BUDGET), 2001LOI DE 2001
SUR DES CHOIX RÉFLÉCHIS
FAVORISANT LA CROISSANCE
ET LA RESPONSABILISATION
(BUDGET DE 2001)

Consideration of Bill 45, An Act to implement measures contained in the 2001 Budget and to amend various statutes / Projet de loi 45, Loi mettant en oeuvre des mesures mentionnées dans le budget de 2001 et modifiant diverses lois.

The Chair (Mr Marcel Beaubien): Good morning, everyone. I'd like to get your attention. We'll bring the committee to order. I'm going to depart from regular procedure. Instead of welcoming everyone, I'm going to let the member from Elgin-London-Middlesex do the greetings this morning.

Mr Steve Peters (Elgin-Middlesex-London): Thanks very much, Mr Chair. Welcome to the riding of Elgin-Middlesex-London. My riding is quite a diverse riding, a real urban-rural riding. This is certainly one of the urban parts of it. It takes in a large part of the London industrial area and a small part of London residential. But virtually the rest of my riding is a rural riding next to St Thomas, so it is diverse.

I want to officially welcome you. From the other side of the riding, I have some strawberries that were just picked this morning from a Ferguson strawberry farm, Ferguson Berries, located on Wellington Road.

Mr O'Toole is very good, I notice, in the Legislature, at promoting things within his own riding. I congratulate him. I have to send these people Hansard, just like you send people Hansard, Mr O'Toole.

There are 24 quarts of berries here for you. They're going to be in the cooler. I encourage you to take some home and have some strawberries and ice cream and shortcake. I'd ask too that whoever is here at the end of the day, at 4 o'clock, everybody please sample a bit of Elgin county.

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

COMITÉ PERMANENT DES FINANCES
ET DES AFFAIRES ÉCONOMIQUES

Vendredi 15 juin 2001

The Chair: Thank you very much, Mr Peters. I don't know about the shortcake, who's going to bake it, but I'm sure we'll be able to get our hands on something somewhere.

REHOBOTH CHRISTIAN SCHOOL

The Chair: Let's start with the order of the day. Our first presentation this morning is from the Rehoboth Christian School. I would ask the representative or representatives to come forward, please, and state your name for the record. On behalf of the committee, welcome. You have 20 minutes for your presentation this morning. Go ahead whenever you're ready.

Mr Martien Vanderspek: Thank you, Mr Chairman, and committee members. I thank you for the opportunity to comment, on behalf of my school community, on the government's proposal to implement a tax credit to parents who pay tuition to send their children to an independent school.

Let me briefly introduce myself and the school I work in. I received my training as an elementary teacher in the Netherlands, graduating in 1976, with a still-valid elementary teacher's certificate. I received government-funded Christian education from kindergarten, age 4, to teacher's certification, age 21. My wife had the same privilege. After graduating, I accepted a one-year teaching position at Rehoboth Christian School in Norwich, a school operated by a congregation of a sister denomination in North America, the Netherlands Reformed Congregations. By God's grace, that one-year position has stretched into a 25-year career, from elementary to secondary, to vice-principal, to principal. In the meantime, I added a BA degree to obtain my Ontario teacher's certificate and followed additional basic qualification training to stay up-to-date and properly qualified.

Rehoboth Christian School opened its doors in 1975. In the years I have worked at Rehoboth, I have seen it grow from more than 160 students in 1976 to the current enrolment of more than 525, from more than 190 families. We offer a comprehensive program from kindergarten to grade 10. Most students finish their high school education in local public high schools. A few follow an independent study program leading to a secondary school diploma.

Presently we have, beside myself, 19 full-time and eight part-time teachers, a librarian, two secretaries and

eight bus drivers employed. Custodial and maintenance work is contracted out. Our facilities include 25 classrooms, including two shops, home ec, resource and computer rooms, a library, a gym, a staff room and several offices.

Last school year it took \$1.4 million to cover the cost of the school operation. About 66% was spent on teachers' salaries, 11% on transportation, 8% on textbooks, supplies and materials, 7% on principal, vice-principal and secretarial wages, 6% on janitorial services and maintenance.

Our school has a wide range of students. Just to give you some facts, we presently have two students enrolled who are legally blind. We have 12 students who receive or have received occupational, physio and speech pathology therapy through the recent health funding initiative. This health funding initiative will probably make it possible to allow enrolment of our first severely handicapped student in the coming year or two. We have a half-time teacher who helps individual students with physical and learning problems cope in the classroom. We have another almost full-time teacher who teaches individualized reading and math programs to a number of students with learning disabilities. We have usually two or three families a year emigrating from the Netherlands who need ESL programs.

All this has not come without great sacrifices. Parents have had to pay tuition, from about \$70 a month in the early 1970s to \$475 a month per family presently. Obviously, this would never cover the cost of \$1.4 million a year. To keep tuition as low as possible, and to make it possible for all church members to send their children to our school, extra collections and special fundraising activities provide close to 40% of the cost of the school operation. We draw students from four closely related and more or less supporting reformed denominations. Even our sister denomination in the Netherlands annually supports financially the 11 denominational schools in North America. The churches try to help those who cannot afford the monthly tuition payments.

In general, our parents are not very well-to-do. Since most of the families are young when they start sending children to our school, they face house, car and school payments. Many of our young people plan consciously for the sacrifices they will face once they get married and have children. Most of them are employed in the trades, in agriculture or in the service sector. A few have started their own business or are working toward doing so. As young people, they are not nearly at the peak of their income potential.

My wife and I know from personal experience what this means. Teachers' wages in a private school are considerably lower than in the public system, and there are no benefits such as pensions etc. Fortunately, my wife was able to supplement my income with part-time teaching. We tried to have her stay home as much as possible while our children were at home. Add to that part-time studies for a BA degree for me and a degree in music for my wife. It meant a simple home, an older car,

few holidays, careful and restrained spending and a summer job if at all possible. Yet by the grace of God we found it possible to meet our obligations and support church and school during the years our four daughters were in the school. Truly, it has been one of the most humbling and comforting experiences to see how each year God makes the means available to provide Christian education in our family and also in our community. To see over \$1 million come in and go out is no small matter.

You may ask, why did you go through all this trouble? Why not have our children go through the public system? To my surprise, a number of people do not understand or don't want to acknowledge what motivates people to desire denominational education. The fact is that people who are truly committed to a religious world view cannot separate education and religion. Too much of what is taught, and too much of life and living in general, is driven by beliefs and values to leave education to neutral educators. For a school to have a chance to be effective, it needs the full support of the parents. That support will only be there if the parents, the staff and the school as a whole form one real community. If religion truly plays a part in the family, it is only natural that parents want to see an agreement in world and life view between family, church and school. Historically this has always been an important aspect; think of the Jewish community with the synagogue school, the Roman Catholic church and monastic schools, or the Reformation and the push for general public education.

1010

I trust you know that in the Netherlands public funding of denominational schools, in addition to the funding of a public system, has been an accepted thing for many generations. In my opinion, it has been for the good of the Dutch. My wife and I are still very thankful for the privilege of attending schools where there was a close agreement in world view and religious principles between home, church and school. This way we were introduced to the world in a manner that kept family, church and school as part of a strong community in the world. It also gave us a sense of duty and calling and helped us understand our task in passing on our heritage and sense of community to future generations.

Whenever I discuss this issue here in Ontario, I always hear of the fear of fragmentation. This is a curious fear to me. In the Netherlands, different schools formed different communities. From my observation in Ontario, different schools within the public system also form separate communities. In fact the school spirit, so strongly stressed in different schools, gives as much rise to fragmentation as different denominational schools would in the eyes of younger and older students. We tend to identify with "ours" and look at others as "the others" as we grow up. Only as we mature do we realize that the others belong as much to our society as we do and that we need them as much as they need us if we are to enjoy mutual benefits.

The recent stories about violence in schools shows that there is fragmentation within public schools. It appears

that, in the minds of quite a number of people, the idea is set that religion leads to intolerance, so that denominational schools cause fragmentation, while all other efforts and means of community fostering are more or less considered benign and acceptable. A number of people think that denominational schools will lead to intolerance, bigotry, racism etc. Now, I will not deny that this may happen in individual cases. However, the question may well be considered whether these bigots found religion as a good way to express their nature and character or whether religion caused it. Bigotry is not limited to religion; you'll find it in any setting.

When on the way to the post office and I see the students of our local public school fan out across town after school, at times I am horrified to hear what is yelled and to see the spitting at each other and the fighting with each other that takes place between students of this school. My children have been addressed as Dutchies on numerous occasions on their paper route, while they are true Canadians by birth and proud of it. My wife and I are thankful for our Dutch Christian heritage, and we understand that our children need to value their Canadian Dutch Christian heritage.

At the same time, I know that some of our students are not dealing properly with others whom they consider different when on their own. I am convinced that good religion teaches the true virtues of life. God's word teaches that people are naturally inclined to wickedness. It also teaches that human nature needs to be changed by grace to become compassionate, considerate, helpful, merciful etc.

I am convinced that a person who grows up and is taught within his or her own religious community, and has learned not only the superficial aspects of his or her religion but has also seen and experienced the force of the life and meaning of his or her religion, is much more likely to be compassionate, understanding and appreciative of other people with different convictions, because he or she knows the importance of religious convictions and experiences. He or she may not agree with the other's religion, just like people do not agree on a wide variety of issues, but he or she will understand why others feel passionately about their beliefs. I am also convinced that superficial, neutral or compartmentalized religious instruction will tend to produce the very bigotry it is supposed to prevent, because it will be an intellectual and pseudo-emotional introduction, not a true way of life, particularly if it is not taught by someone who knows and understands.

For example, I would never do justice to Buddhism if I were to teach it, because I do not grasp the motivating principles of it beyond some generalities. Just making a lot of different kinds of people mix in one comprehensive setting will not automatically bring about mutual understanding and compassion. It is just not naturally in people. It needs to be learned in a small, compassionate, involved community where family, church and school interact at all levels of human interaction, and correct and steer each other as each member develops and grows.

As far as funding of denominational schools is concerned, our Reform tradition has always held the civic government responsible for providing the means for good religious education. This is still found in the present Education Act of Ontario, section 264(c). What bothers me in particular is the studious ignoring or denying of the merits of denominational education beside the separate system. Making denominational education a formal, but distinct, part of the educational system by recognizing the existence and validity of it would be significant in correcting the present inequities. To withhold such basic services from students as speech therapy, various kinds of testing, remedial services, educational expertise etc because they happen to be enrolled in a denominational private system is to me direct discrimination against citizens in the province.

To withhold such things as support services, documents, educational software, professional consultations etc from teachers because they happen to be employed in a denominational system would appear to be a good way to foster intolerance. To read in the paper, or in ministry correspondence, that something is extended to all students in the province, and to find out soon that it is restricted to students enrolled in publicly funded schools, helps to foster intolerance. The fact that tuition payments and direct donations made to a denominational school in which my children are enrolled cannot be considered fully tax deductible, while expecting everyone to pay all taxes, is also a good way to foster intolerance, not directly because of the financial cost, but because of the expressed attitude toward the merits of denominational schools.

There is the worry about the cost of funding. I can see that point. If this coming school year all students presently home-schooled or educated in private schools were sent to the public or separate system, this would mean a huge increase in educational expenditure. Helping independent schools would not cost nearly as much, because they generally are run much more efficiently. Parents and teachers are expected to make extra sacrifices, and they will continue to do so, even under the proposed tax credit system. I think that is OK.

The real issue is, of course, less money than control. Lots of people who oppose home schooling, charter schools, denominational schools etc resent the fact that they will have less control over that part of the youth of our province. Yet, this is exactly what motivates a good number of people to consider alternatives. They do not trust the big public system. They want a community they can more or less entrust their children to, not because they are in the first place worried about the academic skills and knowledge that are taught, but they are worried about what the educators and bureaucrats want to do with and to their children.

Now, independent schools can be chosen. Public schools have to be taken the way they happen to be in your neighbourhood. I think parents should have a fairer choice. When I see how our sister schools in Alberta and British Columbia are operating within the general educa-

tion system, I expect no alarming prospect for Ontario in starting to help with the financial burden parents face when they send, according to their careful choice, their children to a denominational school. Is there presently no control over what happens in independent schools? I beg to disagree. There is parental control. If independent schools do not provide their students with the generally accepted levels of skills and knowledge, or present a setting that does not agree with the vision of the community they serve, parents will soon vote with their feet. We have our students from grade 2 through grade 10 tested each year, using the Canadian Achievement Test, to make sure we get a good indication of the growth of the individual student's basic skills and to find school-wide areas of weakness in our program.

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Our grade 9 and 10 courses taught for credit toward a secondary school diploma are inspected by the Ministry of Education inspectors. Our grade 10 students have to pass the grade 10 literacy test also. All this happens already without funding. However, I want to stress that extending all the particular policies, methodologies and expectations of the public and separate system to the independent schools will doom our schools to stop functioning the way they presently do. Such a move will weaken the close unity in vision between family, church and school. It will also diminish the variety and specialization in education that presently answers an obvious need for parents who cannot find satisfaction with what is offered in their local public schools.

Therefore it is important that independent schools have the right to decide how, when and what is taught within a generally accepted framework of expected skills and abilities. I sincerely hope that our public and separate systems will do well in our province and provide their students a worthwhile and adequate education. They should set the level and the tone of educational achievement in the province. They should be adequately funded to fulfill this task properly. I heartily welcome the tax credit as originally proposed. I think it is fair to the parents who exercise their natural right to choose the education they feel is best for their children. I think it is also a concrete step in the recognition of the place and value of alternative forms of education and training within the overall education system. It is my hope that it will help make Ontario a more compassionate society not only in word but also in deed. Thank you.

The Chair: On behalf of the committee, thank you very much for your presentation this morning. We've used the entire time for your presentation, so there will be no time for questions.

ONTARIO SECONDARY SCHOOL
TEACHERS' FEDERATION,
DISTRICT 11, THAMES VALLEY

The Chair: The next presentation is from the OSSTF, District 11, Thames Valley. I would ask the presenter or presenters to come forward please and state your name

for the record. On behalf of the committee, welcome. You have 20 minutes for your presentation this morning.

Mr Dalton McGuinty (Leader of the Opposition): Mr Chair, if I may, while they are settling themselves, through you, I would invite presenters to bear in mind that they have in its entirety 20 minutes to make a presentation. I'm sure I speak on behalf of all committee members in saying that we would appreciate the opportunity if you could in some way curtail your presentation if at all possible so we might have an opportunity for a bit of an exchange. I find that personally very helpful. Thank you, Mr Chair.

The Chair: Go ahead, whenever you're ready.

Ms Marilyn Norman: Good morning. My name is Marilyn Norman. I am a district officer with the Ontario Secondary School Teachers' Federation.

Since coming to power in 1995, the present government has been siphoning dollars out of public education. An example from one of our Thames Valley high schools will demonstrate the impact of these cuts over the past seven years in terms of staffing. In the school year 1994-95, just prior to the election, Strathroy Collegiate had an enrolment of 1,225.75. Its staff complement was 84.67. For the upcoming 2001-02 school year, the projected enrolment is very much the same, at 1,220 students. The staff allocation to service almost the same number of students today is set at 68.15, a drop of 16.52 teachers. Consider the implications for the district and the province of this very drastic reduction in available teachers at just one school.

In addition to the impact of this long-term underfunding of the public system, we in the public system appear to have lost significant additional dollars to the Catholic school system. Obvious inequities between the public and the separate school system are demonstrated in the table, which is appended. It details a comparison of funding across the province. In every jurisdiction, separate schools are receiving more dollars. Locally, where we are serving the very same demographic, the difference last year and for the coming year is in the range of \$134.84 per student. This translates into a loss of \$3,661,715 to the public system.

The impact of the introduction of the proposed educational tax credits on the public system can only be fully understood and appreciated in the context of the current underfunding and inequities between the public and separate school boards. The inequitable distribution of tax dollars might be justified if the Catholic system were providing a wider range of services. Clearly, they are not. In fact, it is the public system which historically has provided the full range of educational programs and services, and welcomed all students on that basis, including many Catholic ones.

One of the unique aspects of Thames Valley is that London is a major medical centre of national and international repute. Families with children requiring expensive, specialized services are drawn to the area for easier access to medical facilities and services. Their children place an additional demand on our educational services

in the area of special education. This pressure is reflected in board budgeting for special education. According to the compliance report for 2000-01, which I've also supplied in your package, the local board last year spent \$1,749,891 over the specific allocation for special education by moving moneys from other funding lines. Based on their recently approved budget, the Thames Valley board intends to spend in excess of \$3 million over the actual envelope allocation in the coming year. The current funding model does not address these most pressing of needs.

In addition to the heavy and expensive demand for special education services, the social demographics of Thames Valley translate into a heavy demand for ESL and related services. The learning opportunities grant attempts to address related risk factors in this particular area. I noted that London has been for some time a major resettlement area for immigration. This has a lot of application for us locally. It's supposed to address such needs as low family income, low parental education, recent immigration and aboriginal status. I refer you now to the table included, "Student-focused Funding—Learning Opportunities Grant," which breaks out the data for our local area. Last year, the local Catholic school board received \$76.97 per student more than the public system; next year the difference is similar, \$76.35. Given that we service the same communities, it's difficult to explain or justify this discrepancy.

The point to underline is that while the public system continues to provide the broadest range of educational services, it has been financially disadvantaged in its ability to deliver these most essential services. The potential impact of educational tax credits is to provide an incentive to parents to move their children from the public to the private system. The Lang polling, which I'm sure you're familiar with, as well as the experience in Milwaukee, is that 15% are prepared to make that move. For our local system, this represents a potential loss of 4,162.5 secondary students or \$29,003,883.75 to the system. In elementary, 15% translates to 7,990.05 students, a funding loss of \$47,976,095.42. In total, a 15% loss means an extraction of \$76,979,979.17 from the Thames Valley system. Our Thames Valley system is hurting now. We cannot maintain the already reduced level of service with these further devastating financial losses.

Will they leave? In the Thames Valley region we have identified 35 differentiated private independent schools currently in operation. They are open for business now, ready, willing and eager to take our students. I've supplied a list of them in the appendices as well.

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What are they like? What level of service do they provide? Earlier this week we made some random telephone inquiries to find out more about them. They were not eager to talk. While it is not possible to generalize on such a small sample, the schools which shared information with us raised serious concerns. They were, for example, not wheelchair accessible. Some that we talked to required that parents be married and that the child bear

the name of the father. They charge a hefty fee for assessing eligibility according to restricted admission criteria. It is interesting to note that information on curriculum and tuition fees, which was previously available on Web sites for many of the Christian schools, is no longer posted for public access.

The New Democratic Party yesterday released results of a telephone survey of 60 Ontario private schools, also selected at random. Their findings corroborate what we find locally: 80% did not have a single learning-disabled student attending. Quoting from their press release, "A clear majority of the secular and denominational schools surveyed have academic entrance requirements that serve as barriers to admitting students with special needs, Hampton said." Specifically, 70% of the schools surveyed had entrance requirements including transcripts, testing and English-language proficiency assessments which are designed to segregate their student population.

Unlike the public schools in the province of Ontario, they are not open to all. They exclude. They segregate. How we structure ourselves sends a powerful social message. We of the Ontario Secondary School Teachers' Federation do not think that it is in our collective best interest to funnel tax dollars to encouraging the further segregation and segmentation of society. It is rather our contention that segregation from an early age builds fear and mistrust of those who are different. We suggest that students learn tolerance and mutual respect from pursuing common goals, working together in terms of a common curriculum, playing together at recess and noon hour. Canada is surely the great social experiment, and it's one that is in progress. So far we have succeeded remarkably well in assimilating and integrating people from every part of the world. Our success is largely attributable to the quality of the public education system, which is in so much jeopardy, as I have been demonstrating.

Dr Jean Hewitt, in a recent public forum address at the London Public Library, reminded her audience that Ontario has maintained the highest proportion of its students in the public education system of any jurisdiction in the world. When the Tories came to office, it was 97%. Today the number has fallen to 95%. Only the Scandinavian countries approach this record. Why abandon a social course that has served our province and country so well?

The present government has no election mandate to change public policy so dramatically. In fact, they are on public record as holding quite the opposite position on the issue of funding for private schools. During the election campaign, the Premier made promises to the citizens of Ontario that his government was committed to a strong public education system. When the United Nations declared Ontario's funding for education discriminatory, the Minister of Education reaffirmed the provincial government's commitment to support a strong publicly funded education system for all of Ontario's students and their families. At the time, the government stated—and I have provided some correspondence in your package—"Extending funding to private religious schools would

result in fragmentation of the education system in Ontario and would undermine the goal of universal access to education." We could not agree more. Ontario's system of universal education has served effectively as an instrument of public policy in pursuit of democratic and humanitarian goals. Now is not the time to abandon this commitment, particularly as the recent polls clearly indicate that the majority do not favour the tax credit approach.

Independent and private schools view the world quite differently. To illustrate, I refer to a Nexus newsletter, February 2000: "The Christian sees the world differently from the non-Christian world exemplified in ministry curriculum perspectives." Other comments from Christian schools are equally revealing: "Support ... must be given in a way that respects the autonomy and integrity of independent schools.... There should be no government intrusion into the educational programs offered by schools of choice." In a democracy, people are clearly entitled to hold differing beliefs, but we submit that the wider social interest should and must take priority in the area of public policy and the related distribution of tax dollars.

Our recommendations:

Those sections of Bill 45 dealing with tax credits for parents of private school students should be withdrawn.

The \$300 million in the Ontario budget for the tax credits should be reallocated to the budget for public elementary and secondary education.

The government should hold a province-wide referendum asking the following question: "Do you support a single school system where all children, regardless of their religious education, attend the same schools, where opportunities for religious education and observances are provided?"

If, after proper consultation and an election mandate, legislation subsidizing private schools is enacted, the government of Ontario should specify what, if any protections, will be put in place to prevent public schools from being fragmented and weakened.

The Chair: That completes your presentation?

Ms Norman: Yes.

The Chair: We have approximately a minute and a half per caucus, and I'll start with the government side.

Mr Frank Mazzilli (London-Fanshawe): I welcome everyone to London. I will comment, in the minute and a half, on what I've heard so far in this committee. The first thing we hear is that denominational schools do not accept children with disabilities. We've heard contrary, that they do. But let's look at some of the changes to the medical policies and so on. In the past and present, they haven't been able to get the services of speech-language pathologists and other services into the schools, so parents certainly didn't have the ability to get those children into those schools.

The other thing is, this is a tax policy. We heard from Mr Vanderspek about families paying \$5,700 a year—that was my calculation, at \$475 a month. With a 10% tax credit, that would be \$510. How we can object, as a

society, to a \$500 tax credit to those hard-working families is beyond my realm of understanding. How we can accept the rich to own businesses, own Mercedes-Benzes and allow them to capital depreciate those Mercedes-Benzes year after year—and that's OK at the federal and provincial levels. That's fine. But hard-working families that choose to pay for some sort of denominational school—and also, let's just say those hard-working families are paying public school taxes; I just want to get that on the record—somehow this tax policy is the end of the world.

The Chair: With that, Mr Mazzilli, you've used your time.

Mr Gerard Kennedy (Parkdale-High Park): Mr Mazzilli talks about the difference, and there is a difference in this particular proposal. In fact, most of the money goes to private secular schools. The average benefit for religious schools may be \$700 or \$900 per family, and \$3,500 per family is going to private sector schools. In addition to the schools you've contacted, you may wish to know that the government intends for new private schools, quite probably run by private companies, to come in and compete in this area.

Mr Mazzilli mentions \$500; \$522 is our calculation—I'd be happy to give you a copy of this; it corresponds very closely to some of the numbers you've released—of the money missing per student in the Thames Valley area. We don't have anybody on the government side arguing for more money for the Thames Valley students. It's really a bit of a shame—and that includes \$124 lost in the last year. I'd just like to say the loss is in both boards. While the Catholic board had a little bit more last year, now they have lost \$224 per student this year and it just bespeaks the fact that the government says there is money, but it's not coming to your students.

I wonder if you could tell us, and any specifics you could share very quickly, about what's missing that your members need to do a good job in their classroom.

Ms Norman: I just refer to my colleague, who represents a different bargaining unit, who might talk about some of the cuts that our board has been contemplating.

1040

Ms Arnette Gardiner: Most recently the Thames Valley board had prepared a balanced budget, as they are required to do. In that balanced budget there were many job losses. These job losses would be for educational assistants, paraprofessionals for speech and language, attendance counsellors and social workers as well as custodial and secretarial.

The people I mentioned first are the people who are working with our special-needs children, who are the ones we feel are going to be losing out with these cuts. Each year the board has to take a look at its budget, of course, and figure out how it's going to spread the money around. Unfortunately, it seems the special-needs kids as well as all of the kids—there's a little less for them each year.

The board has taken another look at its budget and is trying to make the cuts not so severe for those kids. But

to me, when you have to decide whether you're going to pay the utility bills or the gasoline or whatever and take it away from the kids, it's a really tragic situation for them.

Mr Rosario Marchese (Trinity-Spadina): Thank you both for your presentation. Just to share with you that Hugh MacKenzie, an economist, did a study—this is the second time he's doing it—that reveals that \$2.4 billion has been taken out of the education system. They continue to deny it. Parents who are involved continue to say, "We see shortages." Boards of education say, "Here are the facts," and they deny. Eventually the public will catch up, so there's no point in discussing it too much except to say that point, but also to say that New Democrats are opposed to any public dollars for private schools, be they religious or non-denomination. We just think the public system serves people well, and when it doesn't, we should put the money and attention to do so.

Ms Norman: Precisely.

Mr Marchese: If it's religion the people want, or some different teaching methodology, God bless them, they need to go and find that somewhere else. But where a school system can provide different religious readings to people to reflect our diversity and provide for the education as a course of learning for people, in my view that's more than adequate. If people want more than that, that's another choice they make.

The Chair: We've run out of time. On behalf of the committee, thank you very much for your presentation this morning.

STRATFORD DISTRICT CHRISTIAN SCHOOL

The Chair: Our next presentation this morning is from the Stratford District Christian School. I would ask the presenter or presenters to come forward, please. If you could state your name for the record, and on behalf of the committee, welcome. You have 20 minutes for your presentation this morning.

Mr Ed Petrusma: My name is Ed Petrusma. I'm the principal of the Stratford District Christian School and I have some information packages. I was of the understanding that there were nine of you here. I don't know if I have enough for everybody, but since I'll be chatting for a while, I thought maybe I could pass these out and you could have chance to look at them, about a specific school.

I've been the principal at the Stratford District Christian School for five years. I've taught in three different Christian schools in this province and spent 21 years in the teaching profession, all within Christian schools. Before that I had the privilege as a student of attending a Christian high school and a Christian grade school.

There, in those places of learning, I was deeply impacted by the values of Christian charity and service to others. I heard about these values from competent, sincere, caring teachers, including my own father. My father always had a very high regard for education,

especially an education that saw this world as God's creation and that God has called us to take care of it.

My wife, Teresa, and I have four children, three of whom attend at the Stratford District Christian School, and we have made a conscious choice to have Christian education and have done so recognizing that we are sacrificing financially to send them. We pay for the public school system and also for the Christian school.

Last year, since our school could not offer junior kindergarten because we do not have the funds for that, we had our third daughter enrolled in junior kindergarten at our local public school. We appreciated the academic part that she received in her first year of education; however, the values of our Christian home could not be included by her very sincere public schoolteacher. The public system can no longer speak to many Christian values and beliefs, since it might offend other faiths. My wife and I understand this, but we know for our children to receive an instruction in values in our home, we need the help of the local Christian school.

My brief will be based on three principles that I'll be referring to. I hope to give you a sense of our cause and our own specific school community, Stratford District Christian School.

The first one is, every child in the province of Ontario deserves the support of the government; second, parental involvement helps the education of all children; and third, we support a strong and vibrant public school system.

For the first point: Many of us know that around two million students are being educated in this province every year. Just under two million are receiving full funding from this provincial government. This includes approximately 600,000 Roman Catholic school students. We have over 100,000 students who are being educated outside these two fully funded systems, and many of them are in faith-based independent schools like the Stratford District Christian School.

Our school has 97 students and 43 families and is a member of the Ontario Alliance of Christian Schools. Our school was set up in 1977 and, the Lord willing, this coming September we hope to celebrate our 25th year of operation. All this was done without a cent of provincial government money. Just to give an example of how our school functions and how we go about doing this, I've included in the promotion packages, the information you've received, the breakdown of our tuition. We charge \$6,800 for each family, whether you have one child or five. We do that to keep the costs as affordable as possible for our families.

Certain parents, because of the distance away from the school, also pay another \$1,200 just to use a bus, even though the publicly funded bus goes by their house and they aren't able to go on it. The majority of our families, 30 of them, drive in every day or they carpool. Ten per cent of our families are helped by a tuition assistance committee so that they are able to have Christian education even though their income may be low.

We fundraise, on top of tuition, to the tune of over \$1,200 per family every year just to keep the costs as affordable as possible. We collect and crush pop cans, gather grocery tapes, sell grocery vouchers, save Canadian Tire money for our sports fund, have a volunteer catering group, hold auctions and fundraising dinners, set up softball tournaments, have an annual walkathon and bazaar, we sell cheese, we collect Campbell's Soup labels, sell flowers and apple pies, we seek membership donations and—well, I think you get the idea.

Our educational cost for each child at our school is just under \$3,000. The total cost of our school budget for next year on a per-child basis is \$3,764. As I said before, we try to keep the education as affordable as possible to make it open to as many families as possible who seek a Christ-centred education.

What kind of community do we have? Well, I did some looking around and did some checking of jobs and circumstances. Fifty per cent of our members are from the farm, from the rural area, and 50% are from small towns, in and surrounding Stratford. Some of the jobs represented in our families you might want to note: general labourers in factories, offices, restaurants and different industries. Some are farm labourers working on big collective farms, some are small independent businesspeople, and we do have a few professionals as well as part of our families.

1050

We support the broader community in and around Stratford as well. We've participated in Jump Rope for Heart. Our local food bank in Stratford has been well supported every Thanksgiving by our student body. We have a World Vision child who we support and have supported for the past five years. We collect \$30 a month from a class that takes a month at a time to raise some funds to help support someone outside of ourselves. We supported the multiple sclerosis walk in Stratford and Operation Christmas Child, which sends presents to children in other countries.

As a final note, we are pleased that this provincial government was bold enough to propose the refundable tax credit for parents of independent faith-based schools. Our parents would certainly benefit, over time, from that 50% refundable tax credit. The United Nations ruling in 1999 stated that the present system of education in Ontario, which allows for one publicly funded faith-based school system, should provide monetary support to all parents of students who attend faith-based schools. We feel this would allow our children to be more equally treated with the fully funded students of this province.

My second point: Parental involvement helps the education of our children. In Stratford District Christian School, we have an army of volunteers that includes parents, grandparents and, yes, even some members of the surrounding community who know we have a good school and they want to help support the partnership we have between parents and teachers. This is being done so that we can more effectively help all students of various academic abilities. We do have them in our school and

we look for ways to help them. We have parent volunteers who come in every week to run our school library, who are reading partners with children who struggle; they help prepare material in our kindergarten class, they tutor small groups of students and, of course, go on class trips.

This may sound very similar or very familiar within the public school environment. We do have one other aspect of this volunteerism that's a part of our school that may be unique to some of you in hearing this. I don't know what your backgrounds are so I can't comment on that. We have parents who meet in the evenings to work on one of the various committees that help run our school. We have five parents on the education committee, two parents who run the transportation committee, two parents involved on the 25th anniversary committee, four parents on the finance and fundraising committee, four parents on the promotion and membership committee, five parents on the building committee and five parents on a long-range planning committee.

In addition to these committees, we have a nine-member local school board that serves to oversee the whole operation of the school and give me the daily responsibility to run it. The board is elected out of the entire Stratford District Christian School society, that consists of all those who can abide and wish to follow the constitution of our school. If some of you are wondering how many parents this represents, that's 25 out of 43 families. We have parental involvement because we know we need parents in our school to help sustain what we do.

Third, we support a strong, vibrant public school system. Independent school supporters like us do realize we need a strong public school system. Anything that helps improve education in this province, we support. We're glad to see that the proposed budget has a \$360-million increase in the \$13.5-billion budget for the public and Catholic school systems. We're also very pleased to see that \$300 million will be going to independent faith-based schools within five years. We're grateful that this provincial government is willing to extend a tax credit to parents interested in sending their children to a faith-based school such as ours.

I have looked at other provinces in Canada. Many of you may have heard these facts already. But I've also noted that in any region that I've ever seen, over 90% of all students still attend the public school system. Obviously, most of these parents have chosen to send their children to the public school of their choice. We support the idea of choice even within the public system, so long as parents can make decisions well in advance of the next school year. Choice has not been considered a bad thing in our society. We appreciate choice as citizens of Ontario and strict monopolies have a hard time improving situations for people looking for products or services.

I want to thank you for that.

Mr Dennis Goforth: Thank you, panel, for allowing me to address you with my concerns today. My name is Dennis Goforth. I send my children to the Stratford

District Christian School in Sebringville, where I volunteer on the school board and various committees. I am also a graduate of the Ontario public school system, from an era when Christianity was an everyday part of the public school system. That was then; this is now.

The public school system does not resemble the system I adored as a child. Twenty years ago, like opponents to independent faith-based schools, I too did not see a need for these independent schools. However, as time marches on, things change. Now as a parent I have sought a school system that reflects my childhood school experience and also my family's current needs. That system is not the public school system.

My wife and I have made a choice to send our children to the Christian school in Sebringville because this school reinforces the same moral Christian values that we teach at home. We believe this consistency is a very important part of raising our children to be good members of society. Do not get me wrong: I am not against the public school system. I believe this province should look at ways of educating all children in this province to the best of its ability. However, I do believe that it should ultimately be the parents' choice which school best meets the needs of their children. I believe the government should support parental choice.

We are by no means a wealthy family, and neither are the majority of the families that send to our school. It is offensive to hear misinformed critics say this funding will support a bunch of rich people sending to independent schools. Besides, wealthy parents send to the public system also. It is their choice.

I believe this province needs to remove the two-tier system that already exists in this province. By providing some funding to families who send to independent schools, this province will offer parental choice to more low- to middle-income families and I applaud this on behalf of parents.

Another point I would like to make is the fact that the United Nations human rights committee in 1999 ruled that in Canada, specifically Ontario's funding of Catholic schools was discriminatory and that Canada was violating article 26 of the International Covenant on Civil and Political Rights. Funding of religious schools is not new, it is just selective and discriminating. This is offensive to non-Catholics and Catholics alike, because it is unfair and unjust.

Let me talk about our school for a moment, and what tremendous sacrifices people make to keep our school running and keep it as affordable as possible. I will start with our situation. Between my wife and myself, we spend an average of five to 10 volunteer hours a week supporting various school activities. This week alone I had a four-hour board meeting Tuesday night, plus the prep time, a one-and-a-half-hour fundraising meeting Wednesday night and a two-hour fundraising meeting Thursday night, and here I am again today—and the week is not over.

In order to send to a Christian school, our family had to make choices. We own a 1993 Pontiac instead of a

2001 model. Our family vacations are not extravagant, they are simple and cost-effective. Before we began paying tuition, we were able to save money annually and invest it for our retirement. We do not eat at restaurants very often; we live a simple lifestyle. This is a necessity if we hope to have the \$650 a month for tuition. This amount of money does not include transportation. We have to drive our children to school, because busing is not available for us.

Let me close by commending the government of Ontario for taking a giant step toward education equity in this province. Thank you.

The Chair: We've used pretty well all the time, so there will be no time for questions this morning. On behalf of the committee, thank you very much for your presentation.

1100

ELEMENTARY TEACHERS'
FEDERATION OF ONTARIO
THAMES VALLEY LOCAL

The Chair: Our next presentation is from the Elementary Teachers' Federation of Ontario, the Thames Valley local. I would ask the presenter or presenters to come forward, please, and state your name for the record. On behalf of the committee, welcome. You have 20 minutes for your presentation. Go ahead whenever you are ready.

Ms Nancy McCracken: Good morning. My name is Nancy McCracken. I'm the president of the Elementary Teachers' Federation of Ontario, Thames Valley local. I do have a brief that's being distributed right now. Just before I start, I'd like to commend my secondary colleague who presented a few moments ago. I don't believe our information will overlap very much but we are both talking from the perspective of Thames Valley District School Board in which we both work.

The Elementary Teachers' Federation of Ontario, Thames Valley local, represents 3,000 elementary teachers who work in 160 schools in Thames Valley. We believe that public taxes should be used for public education.

We would defend vigorously the right of independent and private schools to exist and believe that parents have the right to send their children to independent or private schools. However, this is an individual and discretionary choice that should not be funded from public tax dollars.

Public education is the fundamental building block of Canadian society and was first envisioned and brought to reality in Ontario. Public education means that all children, regardless of their racial background, religious beliefs or economic status, attend schools which instill in us common principles and a common view of the world. Public education means that not only parents but every citizen has an interest in ensuring that our schools are working to maximize the potential of each student. Public education means that every child, no matter how handicapped or disabled, is admitted to school and educated. This common education and common understanding

which is promoted and developed in public schools, and nowhere else, is the glue that binds Canadian society together.

Independent and private schools by their own definitions are selective about which children may enter and participate, whether it is an economic, religious or cultural selectivity. This withdrawal of small but select groups of children, and by extension, their families, from participation in the most fundamental community activity of the public schools diminishes the entire community as well as the school. The focus on differences takes away our sense of community and deliberately, although without malice, creates a series of parallel communities based on religion, culture or socio-economic status. These independent and insular communities no longer have an interest in promoting quality education in our public schools.

The deliberate fragmentation of education through tax credits or school vouchers creates a class system based on divisions and the inevitable conclusion is competition for students. Independent and private schools are under no obligation, as public schools are, to accept students with special needs or who require extra resources in order to succeed. Public schools are inclusive. Everyone is welcomed; everyone receives a common education; everyone is treated equally. Independent and private schools may accept only the best and brightest, leaving the public system responsible for the rest of our students. The spiral of dwindling resources in our public schools and students who require more attention and resources is inevitable.

The illusion of choice is largely an urban phenomenon. Families in large cities may in fact have several schools from which to select. Although many small towns have independent, usually religious-based schools, citizens in rural and remote areas of our province have no choices. Only the public education system has built a school near them for their children and offers transportation to and from that school on a daily basis.

Our smallest schools are often, but not exclusively, in rural areas. Allow me to describe what happens to a small school of, for example, 200 students, if even a few students are removed from the community to a private school. Let us call it ABC Public School. The current classroom staffing for ABC Public School, if it were in the elementary system in Thames Valley, would be 9.6 teachers, including preparation time. The allocation for a teacher-librarian would be 0.35 and for a special education 0.9, for a total of 10.85 teachers. The funding formula does not allow enough leeway for the Thames Valley board to round this up to 11 full-time teachers. These teachers cover the full range of curriculum expectations in every grade, and meet the needs of all of the special-education students.

If 10 students move to an independent school, the calculation changes. For 190 students, only 9.1 teachers are generated, the teacher-librarian compliment falls to 0.3 and the special education compliment to 0.75, for a total of 10.05, which is nearly a full teacher less. Even at this level, the school is overstaffed, according to the strict

funding formula. The same curriculum must be covered, but there is one less classroom, creating combined grade classes throughout the school. There are fewer teachers to cover the same responsibilities, and in responsibilities I'm including committee work, health and safety inspectors, supervision of students, any number of activities that every teacher does on a regular basis. The costs of keeping ABC Public School open, however, remain basically unchanged. The heat and lighting bills must be paid, there must be a custodian, although likely the hours have been cut back so that the school is not as clean, a principal, a secretary, and the buses which pick up and deliver the students must travel the same miles over the same roads and generate the same costs. ABC Public School becomes a more and more difficult place in which to work for both students and teachers.

Private schools are not restrained by rigid staffing formulas nor are they required to cover the provincial curriculum or even to hire qualified teachers.

Currently, Thames Valley District School Board is in a budget crisis. The Thames Valley District School Board passed a budget on June 12, this week, which includes cuts to staff and programs of over \$4 million. In order to run the same school system as this current year, the board would need more than \$20 million in extra provincial funding. The funds are not there. Thames Valley is the third-largest board in the province. A proportional share of the estimated \$300 million earmarked for tax credits would cover that shortfall. It would mean that over 20 teaching positions, 30 educational assistant positions, seven teaching positions devoted to early literacy, lunch room supervisors, as well as clerical and custodial staff, would be available to our students, available to all students, not to a few families who choose segregated education for their children.

An investment in public education is an investment in the future well-being, stability and prosperity of our province and of our communities. As a citizen, it is my right and duty to demand complete support for public education. As an elected representative of our citizens, it is your responsibility to maintain and protect public education. The provision of tax credits to individuals who choose to send their children to independent or private schools is nothing less than a direct attack on the system you are supposed to protect. This is a fundamental change in direction for our society and our government. A government which is truly responsible and accountable would not divert public tax dollars into the hands of individuals, while at the same time choking off funds to our most important institution, public education.

The Chair: Thank you. We have three minutes per caucus. I'll start with the official opposition.

Mr McGuinty: Thank you very much for your presentation. The government itself supports some of the argument that you made today. In making its presentation before the UN, the government prepared a very lengthy, sophisticated, detailed, thorough brief. In one of the passages from the brief presented before the UN, they said that funding of private schools "would have negative fis-

cal impacts" on public education. They said it would result in the "diminishment of the range of programs and services that the public system would be able to afford," which is exactly what you said.

1110

Ms McCracken: Yes.

Mr McGuinty: We've been asking the government to produce any studies, reports of any nature that might allow us to better understand why they've made this dramatic shift in their public education policy, which came without warning, without invitation, as far as we can see.

Can you tell us, from the teacher's perspective, from the child's perspective, what is it the kids are missing today? What is it that they need today that they're not getting? They're telling us they've got \$500 million more for education. I'm saying, "Then put that into public education so we can meet the needs." What is it they need today?

Ms McCracken: In Thames Valley, which I am most familiar with, since amalgamation we have half the number of teacher-librarians we had when we started, we have fewer educational assistants than we had a year ago, and certainly not enough, as my colleague in secondary said, to meet the high needs of special-education students in the Thames Valley area. We have higher class sizes. We have kindergarten classes with 27 and 28 students, which is appalling and unworkable. We have intermediate classes with well over 30 students in them, which is also unworkable. We have small schools with many combined grades. We have classrooms without enough textbooks. I could go on for a very long time about that on just about every point.

Mr Marchese: Ms McCracken, I won't exhaust you or me with that list, because all the deputies who have come before us have talked about the losses we've had. There's no point in reviewing that, because it's just tiring.

It was good for you to have talked about how a mere loss of 10 students would cause so much chaos in a little school of 200 people, because people can't understand: "Ten children out of a school system won't affect the overall ratio very much, won't affect teachers in any way." But you broke it down very specifically: 10 students. In a rural community, that could very likely happen.

Ms McCracken: Yes.

Mr Marchese: The only people who have done studies in this regard are OSSTF, in conjunction with CUPE, where they, through the polling, have revealed that possibly 15% of the people might take this tax credit on, because it's an incentive.

Ms McCracken: Yes.

Mr Marchese: If they do, this example of ABC is not a mythological kind of example; it's a real thing. Should it be incumbent on the government to do such studies before they embark on such an initiative?

Ms McCracken: Absolutely. There needs to be very clear studies about how many families would be prepared

to move their children out of the public education system. Because of the way the funding formula operates—not on paper; how it operates in reality in schools—is already squeezing our small schools into very difficult teaching circumstances for teachers. That means less than optimum conditions for students as well.

Mr Marchese: This is going to go ahead, you understand. They're not listening to you or me in this regard. But if they are going to go through with it, as I think they are, shouldn't they be guaranteeing that whatever we lose from the public system is put back in an equal amount? Shouldn't they guarantee at least that?

Ms McCracken: Absolutely. Our public schools need stable, guaranteed funding to allow us to do the job that we know needs to be done every single day.

Mr Mazzilli: Thank you very much for your presentation. Certainly the one thing I noticed in the presentation was that the public school funding in Ontario is \$13.8 billion, compared to the tax credit for independent schools this year of \$15 million. Somehow in the debate we get this \$300 million that's five years down the road. So I want to keep it in perspective as to what it is on a gradual basis.

I also heard from your presentation and from your counterpart's presentation that if you split this \$300 million it would be \$20 million today, but, you see, that's five years down the road, not today. Into that equation, conveniently, the separate schools were not included. So you split up this \$300 million without including separate schools as publicly funded schools. From that argument, I would gather that it's your union's position that separate schools should not take part in that funding, and this is from the arguments that I'm listening to here today.

I want to go back to how a publicly funded system at \$13.8 billion, when health care today is funded at \$22.5 billion, in a total provincial budget of approximately \$60 billion, how a tax credit this year of \$15 million somehow is going to threaten or jeopardize the whole system, or in five years.

I'm a parent with three children. If you take the maximum tuition that this tax credit allows of \$7,000, simple math would mean that's \$21,000. Even at the maximum tax credit, that may be \$10,000. We heard parents say they made choices. That \$10,000 means that the parent you heard before is driving a 1993 Buick. That's the choice he has made. As a fundamental tax policy, I'm asking you, how can you deny citizens of this province that choice?

Interruption.

The Chair: Before you reply, ma'am, I would ask the audience to refrain from clapping, because I cannot allow any demonstration. It only takes up the presenter's time. If you would like to reply to this, please.

Ms McCracken: I would reply that the \$300 million obviously is a projection. So I used that as an example. The funds that have already been taken out of the public education system need to be put back in. Our public education system is deteriorating day by day, as I watch

it from a teacher's perspective—day by day, budget by budget. Every school board in this province has had to cut back and cut back and cut back. It has reached a point where we are now cutting into essential services. Our class sizes are larger, and students are not receiving the education they deserve.

The Chair: On behalf of the committee, thank you very much for your presentation this morning.

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GERARD CHARETTE

The Chair: Our next presentation is Gerard Charette. I would ask Mr Charette to step forward and state your name for the record, please. On behalf of the committee, welcome. You have 20 minutes for your presentation.

Mr Gerard Charette: Thank you, Mr Chairman. My name is Gerard Charette. Good day, ladies and gentlemen of the committee. Thank you for giving me the opportunity to speak to you this morning. I am going to try to organize my comments around the notes I've prepared.

I should perhaps first let you know that I am frequently a supporter of the government. I believe its policies, particularly its educational policies, are headed in the right direction. I have had the opportunity on many occasions to speak before legislative committees.

I would like to, if I may, organize the framework of my submission around a petition filed by the member for Nickel Belt on June 6 in the Legislative Assembly. That petition makes some rather startling and quite extreme comments. I'm here to address those issues; I've heard a little bit about them today. I must say that I do not personally know the member for Nickel Belt, and I assume that sometimes things are said quite quickly and written quite unintentionally, so I'm not assuming any bad will or ill motives on her part. Nonetheless, these statements must be addressed, and I intend to respond to them.

I would like to first talk to you a little bit about my qualifications to speak. I come from a family of educators. I have a brother who teaches economics at the University of Windsor, a sister who is a mathematics professor at a community college in Texas, a brother who teaches in Ontario's publicly funded system and another one who has just retired from teaching. As well, my wife teaches autistic children. Perhaps most significantly, my mother and my father founded the first Montessori school in Windsor. I assume all of you have at least some passing familiarity with that system of education, so I'll not belabour that point.

The school was founded some time in about 1965, and throughout the years many children have gone through this school, which is an independent, non-denominational school. Although my family no longer has a financial interest in the school, it does continue today with my former sister-in-law as its head mistress. She, by the way, tells me to please let you know of her full support of the bill.

After 22 years of practising law, I told my partners last fall that I was intent on becoming a high school teacher. Since that time I have begun preparation and I have been accepted into the fall 2001 program of the faculty of education at the University of Windsor. In a little over eight weeks, I expect to be standing in front of a classroom in high school. My desire to teach is borne out of a long-standing desire to do what I can to help improve education in our province, and I know I'm not the only one in that regard. I know there are legitimate differences about this bill, but I really believe that it is important for the growth of education and the well-being of society that this bill go forward as it is put forth by the government.

Let me deal with one segment of the member's comments in her petition. She has a recital in the petition which says, "Whereas tax credits for private schools will encourage the growth of a segregated society of narrowly focused interests." I heard a little bit of those types of comments this morning. I think they are egregiously wrong, they are outrageous, and I'd like to tell you why I think that's the case.

I have already been in contact with people who teach in school, and I have done voluntary teaching in Windsor's publicly funded high schools for the last two or three years. I give slide presentations on art history, particularly art history as it relates to Western culture's sacred art. I have recently turned my sights on the sacred art of the Far East, particularly the art associated with the Buddhist and Hindu traditions. I can say that, without exception, the students of the publicly funded system whom I have encountered are bright and eager to learn. Good things are happening in both of our publicly supported systems. Moreover, the teachers of the systems I have encountered are serious about their work. They have been helpful and generous to me. So my support of the bill is not founded so much on a negative critique of our two systems—no doubt it does need improvement, as all businesses and institutions do—rather, my support of the bill is founded on the principles of diversity, equality and choice for parents.

This summer I am writing my thesis in satisfaction of my degree requirements for a master's degree in religious education at Assumption University. In the course of doing research for my thesis, I quite unexpectedly got a major book publisher interested in a proposal for a high school text on sacred art. The acquisitions editor of this company asked me to write a proposal. I had hoped to include it, but it's not attached to the paper. I would like to show you just a few slides of some of the things I show students when I go into the high schools, to show you that when I teach in school—I may indeed teach in an independent school—I will present material that is not ghettoized, is not part of a segregated structure or narrowly focused; it is a set of curriculum surrounding religion that is open to the entire universe.

If I may, I'm going to turn on the slide and we're going to go. I apologize if it's going to be a little bit inconvenient for you. I'll just run through a few slides very quickly, if I may.

Here we have a lovely piece. It's an early Renaissance, single-point perspective. This piece is unique because it is thought that there were two artists who created this piece, Leonardo Da Vinci, whom most of us are familiar with, and a great artist by the name of Lorenzo Credi. The piece deals with the Annunciation, where Gabriel announced to the Virgin Mary that she would become the mother of Christ. It's a very gentle, very soft piece, and it has a nice meditative quality. The students enjoy looking at this piece very much, and they enjoy talking about it.

This is another lovely piece. This comes out of the Anglican tradition of the Anglican Church of England. It's British 19th century. It's an autobiographical piece about a poor artist whose lady friend, to whom he was deeply devoted, decided to tell him one day that she was intent on becoming an Anglican nun. The poor man nearly fell apart. He had started the piece as a little recitation about a lady in the secular framework tending a garden, and he subsequently finished it, for the sake of honour, with her clothed as a novice. I'd ask you to note she's holding a flower in her hand. It's thought by art historians that the flower is a visual metaphor for her soul. It's quite a delightful image, because it demonstrates someone who's having a deep ecstatic experience, the sort of out-of-body experience that one gets when one is in deep ecstasy. The kids that I speak to really enjoy looking at this image as well, and they see how art like this can relate to their own inner experience. It's a very nice piece.

The next piece comes out of the Jewish tradition. Actually, it's not by a Jewish artist but by a Baroque artist by the name of Tiepolo. This is the adoration or the prayer of Abraham when he was visited by three angelic spirits. It's a very delightful piece to look at, brightly coloured. The students always enjoy getting into and understanding the religious framework within which these pieces are derived, and it is quite delightful for them to see these things.

This is the last one. This is out of the Buddhist tradition, a very nice piece. It's 12th century Tibetan—northern Indian, actually. I'll ask you to note—it may be hard for some of our audience to see—two small elephants that are in the lower right-hand corner. This is the Buddha preaching a sermon to his own ego. It is thought that the two elephants represent his ego; one is rearing and is rather unruly, sort of like a football player who does a dance in the end zone after scoring a touchdown. You'll see the second one, perhaps, is prostrate. This is literally an idea of someone who has entered contemplation and who is now seeking to master his own ego.

The children enjoy looking at these pieces, and I do little meditation exercises with them involving thoughts of self-control and mastery of themselves. They enjoy it very much.

Really, the point of all of this is to make clear that many of us in private education, or who are intent on going into private education, are not narrowly focused. It

was an egregious comment by the member for Nickel Belt to claim we are ghettoized, not open to the world. I've heard the same type of thing this morning, and I find them very, very distasteful and very untrue.

I'd like to next talk about the fact that at my parent's Montessori school they always welcomed children who had disabilities.

You could put the lights up for a minute. I'll go back to another slide in a few minutes.

In most years, there would be one or two children with Down's syndrome, some with educational development problems. The Montessori school was open to all religions. By no stretch of the imagination was it a narrowly focused basis for education, and I would hope we would all disencumber ourselves of that view.

At the bottom of page 8 of my submission, the assumption by the member for Nickel Belt that independent schools will foster segregation and promote the growth of narrowly focused interests is totally unfounded. Such a sweeping negative view is spectacularly uninformed. Moreover, it only serves to promote prejudice against those who operate independent schools or who seek to exercise freedom of choice in education. Worse than this, it only confirms that it is the member for Nickel Belt and her supporters who seek themselves to promote segregation and narrow ideology. They seek to force everyone into the same monolithic view of life, and it's not healthy for society. They require everyone to adhere to a single monolithic approach to education and to thought.

Also, please recall the recent decision by the Supreme Court of Canada in the Trinity College case. It reminded us very, very strongly that neither public institutions nor anyone in society ought to presuppose that just because someone is a Christian or Buddhist, or an atheist for that matter, they have any necessary predilection to being prejudicial.

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The next part of my presentation deals with the social utility of diversity in education on page 9. The members of my family have carried on an intergenerational discussion about education for over 40 years. My father led this discussion. More importantly, he led the discussion in Windsor's community of parents and educators. My father, on behalf of the Montessori school of education, attended and spoke at countless public assemblies of parents and educators, all in the name of the creative development of educational methods, including especially the Montessori method. He was a regular guest lecturer at the University of Windsor's faculty of education. The faculty, in fact, established a small library of books in memory of my father.

I can safely say that the Montessori school of Windsor has contributed to the education of countless teachers. The school always permitted anyone who was interested to come in and observe students at work. In fact, my father set up a portable two-way mirror at the edge of the classroom so that parents could unobtrusively observe their children. Every year, the school would welcome and help train student teachers. If anyone needed help writing

a research paper on early childhood education, my father would, as the saying goes, talk their ears off.

The point of all of this is that independent education serves the needs of society by serving children, parents and educators. Those parents who choose to send their children to an independent school ought to be permitted to put their tax dollars at work in the manner contemplated by the bill. In the end, these parents help everyone in society. Diversity in education is socially useful. Everyone in society benefits from this ongoing discourse about education and, more importantly, everyone benefits from the delivery of diverse educational programs offered by independent schools. Such schools help improve everyone's performance.

The next point I make on page 10 is the fact that the person who loves deeply is the most expert. For that I draw on my teaching and I quote from Dr Burton White, who was a child psychologist and the author of a best-seller called *The First Three Years of Life*. He was, as well, the former director of the Harvard University preschool project. His quote is at the bottom of page 10:

"I have been embroiled in controversy ... ever since 1979, when I remarked to a newspaper reporter that I felt the trend toward transferring primary responsibility for raising a child from the family to others was probably not in the best interests of most children.

"Controversy notwithstanding, I remain totally convinced that, to get off to the best start in life, what new humans need is a great deal of waking time ... with people who love them deeply."

What Dr Burton is saying is that love is a source of expertise and it is the parents who have undivided loyalty to their children, by and large—and of course there are exceptions, but when we give parents the choice, our school institutions, including public institutions, all get better. It's love that makes us all experts and it's something that we must recognize, I believe, in society where we give those who are most expert the legitimate and real authority over educational decisions.

I'll skip over the next few pages and go, perhaps if I may, to the next slide—I know I have only a few minutes—down near the middle of page 14. The member from Nickel Belt says the following: "Whereas tax credits for private schools will steal"—that's a crime—"money from an already cash-starved public system and deliver public money to special interests who do not have to account for its use...." I'd like to examine that assumption.

First, the bill will have no measurable impact on the level of financing of our two publicly funded systems. I think that has already come out this morning. But more to the point, I'd like the member to consider my next slide, and let me put it up. This is a very telling piece. It's from a study by a US economist which shows the ongoing increase in public funding over the decades—

Mr Kennedy: Not in Ontario, sir.

Mr Charette: I know it's not Ontario—and the flat-line on educational results. It's really the same in our province. The 2000 report of the Education Quality and

Accountability Office says the following about changes in reading proficiency over the last year: "In both grade 3 and grade 6, student achievement in reading has shown some improvement. This year, 49%"—that's a whopping 49%—"of grade 3 students achieved at or above the provincial standard, a 3% improvement since the new Ontario curriculum was introduced three years ago. In grade 6, 50% of students achieved at or above the provincial standard, a 2% improvement."

I am glad that the EQAO is measuring levels of performance, but we're not supposed to be impressed. Consider the possibility of Chrysler Corp putting out the following press release: "Chrysler Corp of Canada proudly announces that it has released 100,000 new minivans into its dealer showrooms. Only 48% of these vehicles failed to meet our own quality standards as tested at our factory. We remind our customers that last year over 52% of our minivans failed to meet the same standards. This means that we've had an improvement of over 3%. Please run down to your local Chrysler dealer and test drive a minivan."

I'm happy to say that this press release is not true. The fact is that the workers and managers and investors of Chrysler Corp do produce fine vehicles, but our public system, frankly, does need improvement.

The last point I'm going to make is this: another irrefutable fact is that diversity in the field of education improves everyone's performance. I'm on page 16. A recent study about educational diversity confirms that public sector educational institutions improve significantly as a consequence of parental choice. I refer you to a study of educational productivity by a well-regarded economist from Harvard University, Caroline Hoxby, who has determined that school choice for parents, whether in the form of vouchers, charter schools or whatever else, improved the performance of students in both the schools of choice and in publicly funded schools. Most studies have just taken a superficial approach by discussing allocation of dollars. What Professor Hoxby undertook was a more penetrating analysis. She examined educational profitability defined as performance per dollar spent.

What she found is this: in every case she studied, Ms Hoxby found that the performance of public schools improved when they were required to compete for students with schools of choice. Publicly funded schools can compete very nicely, thank you. We already heard this morning about rigid staff formulas. Those things have to go. I quote from Professor Hoxby as follows—

The Chair: You have one minute to wrap up.

Mr Charette: "The schools that faced the most potential competition from vouchers had the best"—the best—"productivity response. In fact, the schools that were most treated to competition had dramatic productivity improvements."

Mr Chairman, I apologize for the rapidity of my little session here, but thank you for the time to let me speak to you.

The Chair: On behalf of the committee, thank you very much for your presentation, but there's no time for questions.

Mr Marchese: Just as a clarification, or a point of order, if you want to take it that way. I didn't want to interrupt the speaker, but he constantly said, "The member from Nickel Belt said." The member from Nickel Belt was reading a petition which she, in the end, supported—the same petition I read into the record, which thousands of people have signed. So we don't say it; we support them at the end because the petition is given to us by Ontarians, just so he is aware of that.

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THAMES VALLEY DISTRICT SCHOOL BOARD

The Chair: Our next presentation this morning is from the Thames Valley District School Board. I would ask the representatives or a representative to come forward, please, and state your name for the record. On behalf of the committee, welcome. You have 20 minutes for the presentation.

Ms Jan Hunter: My name is Jan Hunter. I'm a trustee with the Thames Valley District School Board. Thank you for the opportunity to present to you today on this extremely important issue. This is an issue which the Thames Valley District School Board community believes has profound implications on the future of public education in our society. As I said, I'm a trustee with the Thames Valley District School Board, which has over 90 schools serving the counties of Elgin, Middlesex and Oxford, as well as the city of London. I hope my fellow trustee, Graham Hart, will be joining me. He was supposed to be here, but I presume he's caught in traffic right now.

As one of the largest school boards in Ontario, we wish to express our opposition to this government's proposal to fund private schools with public money. Our comments will be focussed around five key areas of concern. In our view, this proposed legislation further erodes funding for public education at a time when provincial support has already been substantially cut and boards are already struggling to meet student needs. It circumvents the stringent accountability that a public school system must demonstrate to the government and the public. It compromises the responsibility we have as a society to ensure that the education we provide to our students today prepares them well for tomorrow. It minimizes the values of diversity and tolerance that have been the foundation of our society. And it represents a fundamental challenge to our collective understanding of the role public education has in ensuring a strong, vibrant and prosperous society able to meet the challenges of the future.

I'll discuss these points each in turn. Before I do, however, I'd like to highlight for you some of the fundamental beliefs and values we share at Thames Valley. These were identified collaboratively among the Thames

Valley stakeholders following amalgamation of our four forming boards in 1998. They are fundamental to all we do and say as a school system.

At Thames Valley, we see our purpose as building a caring learning community that puts students first. We are a partnership of students, parents, employees and community committed to excellence as a leader in public education. Our focus is to enable students to acquire knowledge and to develop critical thinking skills and values that allow them to realize their potential and contribute positively to society. One of our key beliefs is that public education is an investment in people and the community. It's a belief that suitably prefaces our remarks concerning the impact this legislation will have on funding for public education.

Let me be very blunt. Provincial funding is already inadequate to meet the needs of our students and we are concerned that this legislation would further erode the government's support for public education. This is not just our view as trustees; it is also the view of the thousands of parents and members of the public who have called us frequently following the announcement of the government's plan to introduce a tax credit for parents of students in private schools.

Thames Valley and boards across the province are already struggling to cope with fiscal pressures that are beyond our control. Earlier this week, on June 12, our board approved the 2001-02 budget. While it was a balanced budget, it was also a budget in which we had to approve various cuts in services in order to cope with a potential projected shortfall of \$22 million that has resulted over three fiscal years. This shortfall has resulted not because we were irresponsible in how we were spending our resources; it has resulted because of unanticipated cost pressures that are beyond our board's control and which the current provincial funding model does not recognize.

Let us point out that the increase in provincial revenues Thames Valley will receive for the coming fiscal year amounts to \$4.6 million, or 0.9% over the previous year. Out of this, we will need to contend with the spiralling costs we face in transportation, utilities, benefits, inflation and growth in special education. In fact, our spending in special education for the coming fiscal year will be about \$62.5 million, or \$4 million more than what the province gives us for this special purpose. The high quality of medical services in our area translates into a proportionality higher number of high-needs students, something we are not recognized for under the current funding model.

The government has established that the private school tax credit will cost the province between \$350 million and \$700 million a year by the time it is fully implemented, an estimate that is seen by many as conservative. In our view, this represents \$350 million to \$700 million in potential provincial revenues that could be spent on public education to enable us to better meet the needs of our students.

We are already frustrated that provincial funding for public education has not kept pace with students' needs, and we are alarmed to see a proposal that will cause the situation to deteriorate even further. In short, we are concerned about the impact this legislation will have on funding for public education.

We are also concerned that the legislation would compromise the government's own vision for full accountability in education. Public school boards are, and need to be, accountable to the government, the parents and the trustees, as well as the public. Trustees are democratically elected and must answer to their constituents for the decisions they make and for how they spend tax dollars to support student needs. They are also responsible for ensuring that the provincial curriculum is delivered by certified teachers in each of the schools within their board. As well, public schools are required to participate in province-wide assessments. These are important mechanisms within our public education system. They serve to demonstrate accountability to government, parents and the public—and indeed, this government has over the past six years strengthened many of these mechanisms.

Private schools, however, are not bound by the same accountability standards that the public education system must abide by. At the elementary level, they can teach what they like. They are not required to hire certified teachers. The Ministry of Education has little control over their curriculum, management, hiring practices or outcomes. As well, they are exempt from provincial testing. Any move to strengthen support for private schools will, in essence, support an approach for a system that is far less accountable than the public education system is required to be. It is our view that this is an inherently contradictory and untenable position.

As much as we stress the need for an education system to demonstrate accountability to government and parents, we are even more concerned about the impact on students that results from a system that is less than fully accountable. The mechanisms in place in the public system help ensure that the learning opportunities we provide for our young people today represent the best possible education we can provide, given our resources, to help them meet the challenges of tomorrow. They serve to keep us focused on this fundamental responsibility of preparing students for the future. Where, one might ask, are the same checks within the private system?

The responsibility of preparing our young people for the challenges of tomorrow belongs not just to those who identify themselves as advocates for public education. It is as a society that we must bear this responsibility. In our view, this is best achieved in a system that demonstrates full accountability to the public—the public education system.

If we stop and think about the kind of world that we need to prepare our young people for, we will recognize that increased ethnic, racial and cultural diversity is an essential feature of that future. To date, the local public school has been one of our primary, if not the primary,

vehicle for preparing people to live in a society characterized by cultural diversity and alternative belief systems. Children from various ethnic and racial backgrounds, faiths and socio-economic circumstances are brought together in a safe and welcoming environment. Together, they learn not only to tolerate but to respect and celebrate their differences. Indeed, one of our key beliefs at Thames Valley is that our school system is strengthened by embracing diversity.

These are important life lessons. They are also lessons that are less likely to be learned in a private school that segregates, fragments and divides students on the basis of social backgrounds and cultural circumstances, where students have less opportunity to be exposed to individuals who are different.

The public school has an important role to play in building social cohesion. It is a role we discount only at the risk of endangering our future stability. In our view, the proposed legislation would severely minimize opportunities to promote the values of tolerance and respect for diversity that have proven essential to maintaining our social fabric.

Finally, we are concerned that this legislation challenges our collective understanding of the role of public education in a democratic society. Many commentators have pointed out, and it is a belief that we share, that public education is essential to a democratic society. We believe that in terms of ensuring vibrant communities with informed and involved citizens, public education has a critical role to play. It fulfills this role by how it enables young people to develop into contributing citizens who are accountable to themselves and others. It also fulfills this role by focusing the attention of parents, the community and the public at large on the collective responsibility we all share for educating our young people.

Only a public education system characterized by full accountability can foster this same sense of community and public engagement. A democratic society that is mindful recognizes public education not only as a collective responsibility, but as a collective enterprise that requires the participation and commitment of us all. A democratic society that is mindful recognizes that a strong public education system is essential to its own future health and prosperity.

As with a universal health care system, public education benefits all citizens and contributes to the collective good of society. As a society, we do not tolerate two-tier health care. We need to ask why we would tolerate two-tier education. While it is important that parents have choices in terms of selecting from among various educational opportunities available to their children, we believe that the future stability of our society is threatened when parents are in fact encouraged to exercise their choice by opting out of the public system. The more they are encouraged to opt out of the public system, the less likely they are to see any need to keep the public system strong so it can meet the needs of all students and of our collective future.

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Yes, parents should be entitled to choice, but we believe the solution lies in making more choices available to them from within the public system, rather than in promoting a disguised voucher system that encourages them to opt out of a public system that promotes the collective good.

As trustees, we are committed to making these choices available to parents across our district. Our system does include a number of schools that specialize in the arts, vocational schools, a school focused on technology, various French immersion schools and other schools that have specialized programs as well. It is important that we are able to provide these choices to parents.

As trustees, however, we are concerned that we do not have the funding to be able to continue to make these choices available to parents. The reality is that we are struggling to meet many of the more basic needs. Our children are our future. Help us to meet the needs of every one of them.

Thank you for the opportunity to speak to you on this important issue.

The Chair: We have approximately three minutes per caucus.

Ms Hunter: May I introduce my colleague, Graham Hart.

Mr Marchese: Thank you both for coming and thank you for your presentation. You touched, in your third-last paragraph, on a point I was going to ask about. One of the previous speakers talked about the fact that the public education system is monolithic and your point was that the public system has a great deal of variety. We have academic schools, schools whose focus is business, technical or, as you pointed out, French immersion, if that's what people want. We used to have more opportunities in music, before this government came in. They are now fewer but there's still a tremendous variety. Isn't that the case?

Ms Hunter: I believe that Graham would like to answer.

Mr Graham Hart: There is some variety but there are many school systems that have far more variety, and I'll use Edmonton as an example.

I think the other concern we have is that as we prepare students for the next century—and the school is no longer the only place where students learn; students now learn in different ways—from computers, from the Internet, from libraries, television, videos etc—we don't feel we have made the changes and that we're prepared to have the situations in effect in order to meet the needs of our students of the future. That's what concerns us. We need more of these special-interest schools and we don't have the funding to do that.

Just as an example of that, we've struggled to even have French immersion available throughout the Thames Valley area. It's an equity issue. We certainly want to have French immersion everywhere, but we don't have sufficient funding to do that kind of thing.

Mr Marchese: In Toronto, French immersion classes are overflowing. While there are fewer taking them, in Toronto it's a wonderful system in terms of people's interest in French immersion and the board's desire to promote and provide for them. But again, that is an option for which there is less funding. Core French obviously is provided in terms of funds, but there is less support for immersion. So there's not much provincial support. Unless we get it, it's hard, right?

Mr Hart: The other point to understand, though, is that Thames Valley is both a rural and an urban board, and in an urban area it's easier to deliver a program because the issue of transportation doesn't come up. We're presently still dealing with a transportation system which was designed in 1996 and does not allow us, in rural areas, to address those kinds of needs. So transportation is a significant part of the difficulty of offering a special-interest program like French immersion.

Mr Ernie Hardeman (Oxford): Thank you very much for your presentation. We much appreciate it. There are just a couple of points in the presentation that I'd like your comments on. The issue of accountability—I think in your presentation you make the point that we have been working diligently as a government and as a board in Thames Valley to make sure we are as accountable to the parents as we possibly can be. Aside from the tax credit, could we build that accountability into the independent system? Would that solve some of those concerns in your presentation, and what would we need to do to do that?

Mr Hart: Not could you, but will you, I guess is the issue. There are more questions here than there are answers. The reason we raised the issue is because there are no assurances as to what kind of accountability there is going to be. I don't know what's going to be in the proclamations and so on when those come out.

I guess the other issue, Ernie, that we're really addressing is that we're opening an issue here which doesn't involve fairness and equity. Somewhere the line has to be drawn as to what will be the new system, what will get taxpayers' dollars and what won't. What we're concerned about is that we're being asked to comment on something where we don't know those kinds of details.

Mr Hardeman: The reason I asked that is because I do believe—and the legislation as it is written requires the identification of tuition that would be eligible for a tax credit, and we really want the input of the people in the whole system to give us some advice on that.

On the issue of fairness to all, you mentioned transportation. I am a public school supporter. My children are in the Thames Valley system and it has bothered me that when the bus goes by the door, everyone in the province or anyone in Thames Valley pays for it, but if you don't go to the right school, you can't ride the bus. To me, there must be a way in the system that that could be corrected, that all children who are eligible for the public education system would have, in fairness, the right to utilize the services they need.

Mr Hart: Ernie, you certainly know that in the Woodstock area we have a good relationship with our co-terminous Catholic board and we share a lot of busing. I know that isn't true everywhere across the province. In the cases where we don't put students on the same bus, it's because the analysis would indicate that the schools are not in the same location, so the bus is going in an opposite direction. But we have a lot of commonality in our transportation system. Could we have more? Yes, we could, and in the future we would certainly like to have some of that. But also realize that there is no mechanism for John Knox or any of the Christian schools or non-public schools to be involved right now with our transportation system.

Mr McGuinty: Thank you for your presence here today and for the good work you're doing on behalf of public education.

Language is so important in our business, the business of politics, and the government would have this framed as an issue of both fairness and choice. I would argue that the greatest unfairness here is what has happened to public education during the course of the past six years and the continuing reduction in the quality and level of quality services available to our children.

As to the matter of choice, I know from travelling the province and speaking with parents in so many different communities that their overwhelming first choice when it comes to education is for a public system that is dynamic and vibrant and has both the moral and financial support of the government of the day. We have yet to deliver on that overwhelming first choice by the 95%, 96% of parents and families who endorse public education by sending their kids to those schools. You may want to comment.

Mr Hart: I certainly agree with you, and I appreciate the committee being in London. One of the major difficulties is the issue of equity. It's an easy word to say, but it is not a word that has been delivered on in terms of education.

The Thames Valley board receives no mitigation dollars to ease amalgamation, even though we were putting together four boards in a very complex kind of situation, whereas other boards in situations received that. I'm just using that as one issue of equity. So I think, Mr McGuinty, you are quite correct; the word is used a lot but we're very disturbed, in education, that we're not following it. I've already mentioned transportation. It's a major concern to us that there is not equity in the area of transportation.

Mr Kennedy: Mr Hardeman, I'll give you a copy of this, but it shows that the two boards here have lost over \$7 million against just inflation for transportation, and we don't have government MPPs arguing on behalf of your board. We don't hear it in the House and we don't hear it here today. Just last year we calculate you lost \$9 million against inflation. That's just straight-up inflation. The per capita loss is \$124 per student, and you've lost, in your board, \$70 million over the last six years. And the sav-

ings in administration are less than \$1 in \$5. So the money is coming from your students.

I think what people out there really want to know is—there are some choices you've had to make this year—what are the kinds of choices that are affecting children in your board that you would rather have the money for that they want to send into secular private schools as well as some of the religious schools?

Mr Hart: I think in the budget we just passed a week ago, the most difficult choice was in the energy sector, where we cannot control the cost of natural gas to heat a school or diesel fuel to go in a bus. The extra money we got last year only represented 40% of the increased cost. So to cover last year's deficit just in energy of \$4 million, we had to take money from administration and from special-needs areas in order to cover that shortfall. Yes, we are no longer able to fulfil the needs of students, so we have significantly reduced the number of staff that we have in areas of educational assistants, attendance counsellors, psychologists, psychometrists and things like this. So, yes, we are delivering a balanced budget, but at the expense of students.

The Chair: On behalf of the committee, thank you very much for your presentation this morning.

This committee will recess until 1 o'clock this afternoon.

The committee recessed from 1202 to 1258.

The Chair: Good afternoon, everyone. It is 1 o'clock and I'd like to bring this committee back to order. Our first presentation this afternoon is from the University of Western Ontario. I would ask the presenter or presenters to please come forward and state your name for the record.

Is the representative from the OSSTF, District 9, in the audience?

Interjection: Open it up to the public.

The Chair: For your comment, there is a process we have to follow, and I think all the members know what the procedures are. If you need to be briefed, I'd certainly be glad to do so at the end of the meeting or if we have a recess this afternoon.

ISLAMIC SOCIETY OF NORTH AMERICA

The Chair: Is the representative from the ISNA group in the audience? Could you please step forward, sir, and state your name for the record. On behalf of the committee, welcome. Take a chair.

Dr Syed Ahmad: My name is Syed Imtiaz Ahmad.

The Chair: Your brief is being photocopied and will be distributed to the other members as soon as it's available, but you may proceed if you wish.

Dr Ahmad: Thank you very much, Mr Chairman and members of the parliamentary committee of the Ontario Legislature. It is my pleasure and honour to be here this afternoon to present to you some of my thoughts based on my own personal involvement in community work, both in Ontario and Canada at large.

I am currently the head of the Islamic Society of North America in Canada, although I have served previously as head of the Islamic Society of North America both in Canada and the United States. I am also chairman of the Canadian Islamic Trust Foundation. This foundation serves community centres throughout Canada, including Ontario. We operate several schools, and I have been personally involved with those schools as chairman of the board. So some of my thoughts that I will present to you reflect my personal involvement in educating the citizens of Canada as well as the residents of Ontario.

I arrived here in 1962 and have lived here ever since. I studied at an Ontario university and served Ontario universities at the highest academic levels. I've been involved in community work since the early 1970s and participated in education forums organized by national television media, in particular on the issue of ethics in education, that is, the place of values and mission in education in our society.

The Islamic Society of North America, as this brief, once you get a copy, will indicate, is a grassroots, umbrella organization. We have members at large and we also have members that are community centres. We work closely with other faith groups, so we are not isolated in our endeavours. We work closely with them on values we all espouse.

We started a pioneering private school in the Toronto area and we have encouraged the establishment of Islamic schools throughout Ontario. The Islamic Society of North America also offers a variety of human development programs—because we are aware of preparing the citizens of this country—and several forms of financial services, such as home buying, auto leasing and buying, and general investments. We are an active participant in serving the citizens of Ontario.

The announcement of the refundable equity in education tax credit was of course widely praised by us and many other groups. This is, we realize, something we have waited a long time for and worked hard to achieve, and finally it is beginning to be realized. We commend the government of Ontario, the Premier, the Minister of Finance, and we also commend all the members of the Legislature who are taking an active interest.

Obviously whatever solution is developed, we would like to see it best serve all citizens and not necessarily be exclusive. In that sense, we are not concerned about questions or issues being raised of whether or not this is the right thing to do. What we would like to request members of other political parties to do is to consider this issue more as human development as opposed to political inclinations. If we look at it from the point of view of human development rather than political inclination, we will come to the same conclusion. We are serving the same common purpose, and that is to educate students who will serve society at large and not isolate them from society.

The clients we serve through our schools are very limited in number. That is why some people may say we are serving what you call a "narrowly focused group."

However, the graduates from our schools are being prepared for public service at large. We are not preparing them to say, "We serve this sector" or, "We serve in this particular way." Our goal is not to isolate citizenry, but to prepare them for enriching the cultural mosaic in Ontario by adding a little hue and shine to this mosaic. That is our purpose, regardless of what may be viewed.

The fact that the tax credit is refundable is a very strong signal that it is meant to benefit the supporters of our schools, who are less wealthy and who sacrifice greatly to enable their children to attend the school. Our parents are no doubt driven by their religious convictions but they are also driven by values and what you call the mission of the citizenry in Ontario.

I have dealt with numerous students who attend our schools. We are not preparing an elitist group in any form. We are not giving them elitist thinking in any form. We are not inspiring in them isolationist tendencies in any form. What we are saying is that a value-based system, a mission-oriented educational system in the form of private schools, regardless of who runs them, is likely to prepare citizens who will complement those being educated by the public school system. We are not competing with the public school system, we are not criticizing the public school system, nor do we intend to harm the public school system in any way.

What we are saying is, the public school system is intended to serve the population at large. We would like to complement the role of the public school system by identifying people who would like to have something more; not take something away from the public school system, but offering everything the public school system has to offer and adding something of value that will contribute to preparing the citizens in this country.

We know the decision the government of Ontario has made. Although it is a very laudable decision and it's a budgetary proposal, it is not the first one. There are several provinces that have offered this kind of facility, in fact on a broader scale than what is being proposed in the current budget of the government of Ontario. The tax credit form is somewhat limited but it certainly will help in removing or alleviating the hardship of the parents who would like to send their children to our schools and either cannot send them or are making sacrifices beyond their ability to bear. Quite often, we have to find charitable donations for supporting these committed parents.

Our schools are not looked at as exclusivist, in the sense that we have been constantly approached by people who are not Muslims, who do not necessarily share all the values that we espouse, but they say, "We like the way you are preparing the citizens in Ontario and we would like our children, who are not Muslim, to attend your schools," and we have been open to it. Our problem has been simply the numbers. We have not been able to handle the numbers who may come our way. These numbers are minuscule when you look at all the students. These are monumental numbers for us, for our community to bear, but you are looking at a small percentage of the Ontario student population, anyone with the tax

credit who might come. So in that sense we are not likely to dilute or have what we call a "minimizing impact" on the power or the ability of the public school system to continue to do what they have been doing and continue to do well as they have been doing.

One of the arguments that has been advanced is that school choice will fragment society. It is not supposed to bisect. All the students we have graduated over the years have not stood out as differing from the society agenda at large. They have participated in the society agenda at large and they have contributed.

We wanted to send our own children to Islamic schools and we could not because there were none when my children were growing up. In fact, I have a small story from my own personal experience. We lived in Ann Arbor in the United States. The public school system, as you can see, is a really public school system. But our family was very concerned about not being able to hold on to the values that we would like to impart to our children. So although I decided to serve a university in the United States, we moved back to Ontario to attend the public school system here. At that time, we did not have schools. So we are in a way willing to make sacrifices in order to support our children with values and missions that we cherish a great deal.

One of my grandchildren is going to an Islamic school and the other two are not, because Islamic schools are not available to them. I can see a tremendous difference, not in terms of their intellectual development—the intellectual development is not in doubt. What is in question and what we are trying to focus on through these private schools is to give them more of a mission in life, a human development that may be beyond the reach of an ordinary public school system.

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In closing, I would like the remaining time to be available for questions from the members of the Legislature. I don't know whether committee rules allow other questions to be raised.

The equity in education tax credit recognizes that the status quo is no longer viable. It has not proven viable in other provinces. It has been seriously questioned by the United Nations; nor is it being widely operated in this country—it is changing—or in the United States. It gives us, the parents of the children, a choice. The choice it gives them is an opportunity to study in an environment where they do not simply talk about their cherished values but they are able to practise them. For example, in our Islamic schools we have breaks whereby all the children gather and pray together. They're not praying together to say, "We are somewhat unique; very different." They are taking a break from their regular activities and recognizing the fact that there's a greater mission in life. So they're able to come together as a collective endeavour and participate in recognizing the greater mission of a human being in life.

Whether or not we always do it well of course remains subject to question. I would not claim that all Islamic schools succeed in everything I'm saying. We are human

beings, we have our limitations and we have teachers who have limitations, but we are striving for a goal that we feel is in every way making a positive contribution to the general goals and ideals that this society at large espouses. What we are saying is, we would like to contribute. We would like our students to be able to contribute to society in a way that society will find them noticeable and will say, "Not only are they good professors, not only are they good engineers, but there is something in the way they deal with people." They are not simply what I would call introverted, they are extroverted. They look at society at large as part of them. They do not isolate them. My own individual excellence should not supersede the excellence of the society around me.

Some of these issues we can convey through our school system, not by speeches, not by words, but by living through them. It's an environment we want to create. Obviously if we deliver speeches—and I used to give speeches to my children who were going to public school. They had an impact but a very limited impact. Children are not simply to be given words of wisdom; they have to live through those words of wisdom vividly applied. That is what we are proposing to offer through a private school system.

I would guarantee and assure that the funds that are going to be made available, regardless of the form, whether they go directly to the students, which is what is being proposed in the budget here, or directly to the school, we are very much in support of it, not just for our own personal interest, individual interest or community interest but for the interest of the larger society. Thank you very much.

The Chair: We have approximately a minute and a half per caucus, and I'll start with the government side.

Mr Mazzilli: Thank you very much for attending. I agree with you. Certainly the Islamic community in London has contributed to all levels. What you said about your leaders contributing to the community at large, not just to the Islamic community, that's apparent every day, and we see that.

You were not here this morning, but the Ontario Secondary School Teachers' Federation, whom the opposition have coozied up to, on the last page of their presentation said, "So far we have succeeded remarkably well in assimilating and integrating people...." Assimilating? Have we not stopped doing this in this wonderful country of ours? Do we not live together in spite of our diversity? We don't try to assimilate each other in our beliefs and our culture. I'm wondering if you can comment on this. It's a public document distributed to everybody. Is it this sort of thing that actually drives people away from public schools?

Dr Ahmad: I have been thinking about this issue from the very time I arrived in this country something like 40 years ago. I think a lot of times people have good intentions but the impact of what they say can be very serious. An assimilated populace is not going to be good for Ontario. This populace will be good for Ontario.

Certainly if the assimilation implies that we do not want to create people who would be at odds with society, I totally agree. None of us who have decided to live in Ontario should be at odds with society at large. In that sense, I should assimilate. I am living in harmony with society at large, but I don't want to be what you call "living off" society at large. I would like to contribute. Our students would like to contribute. In that sense, we see our role as a complementary role.

Mr McGuinty: Thank you very much, sir, for your presentation. You know, this tax credit policy, what we more properly call a voucher, came as a tremendous surprise to the people of Ontario.

There was a very extensive brief prepared by the Ontario government and submitted to the UN, 80 pages thick, considered, careful, thoughtful. A tremendous amount of work went into the preparation of that brief. Here's something that the Mike Harris government argued before the UN. They said, "Funding of private religious schools would result in the disruption and fragmentation of education in Ontario," and then they added, "Funding private religious schools would have a detrimental impact on the public schools and hence the fostering of a tolerant, multicultural, non-discriminatory society in the province." What do you think would have caused the government to do a 180-degree turn after making such compelling arguments before the UN? By the way, we received no studies, no reports whatsoever of any kind which would support their present position.

Dr Ahmad: Yes, I myself was surprised when the Ontario government presented a budget in which was this bill, but I was delighted. I read the statement they issued earlier. We all live in society. I work at a university; you live in the public. Quite often, we are bound by a goal, and once you define a goal—if the Ontario government decided at that particular juncture, "We will not support private schools," they have to rationalize their position to the United Nations. We all do it with good intentions. In that sense, the argument they have presented was more to say, "If we make a statement that we are not going to support funding of private schools, how do we rationalize it?" It is that. I would not say that the Ontario government has made a 180-degree turn in its thinking. I believe it has in fact made a very positive move to say, "We were not prepared two years earlier when we countered the argument of the United Nations, but we always felt an undercurrent of what's happening in other parts of the country. It's there. All we are doing is responding in kind."

Mr Marchese: Mr Ahmad, what I want to say to you—because we have an opportunity, at least a minute and a half, to respond, and to the other groups that represent Christian schools to whom we didn't have a chance to respond—is that I respect the work you do and the work they do. I am convinced the majority of people in your schools and in the Christian schools are people of modest means. We don't dispute that. They work hard and make tremendous sacrifices for what they do. I just

want to tell you that and I want to tell the other people who made a deputation earlier on.

My point, on a positive note, is to say that I support a public system. I believe the majority of our needs are accommodated in the public system, and can and ought to be, and when they are not, that means people are opting out of that public school system because there is something that cannot be provided, and it might be a faith-related issue. If that's the case, I say that's a choice people are making to opt out of the system. But I believe, generally, the public system ought to be the system that serves our needs. That's my view as a New Democrat.

Dr Ahmad: I would respond by saying that I personally would not negate the purpose. I would support the public school system, but I think that forced uniformity on all students in Ontario is not desirable. Forced uniformity has never worked. You must allow for the population that says, "We can excel somewhat differently. We cannot excel through forced uniformity." This is what I'm saying: do not force uniformity on the students or the children of the parents in Ontario.

The Chair: On behalf of the committee, thank you very much for your presentation this afternoon.

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UNIVERSITY OF WESTERN ONTARIO

The Chair: We'll now go back to the regular schedule. I'll ask the representative from the University of Western Ontario to please come forward and state your name for the record. On behalf of the committee, welcome. You have 20 minutes for your presentation.

Dr Paul Davenport: My name is Paul Davenport. I am the president of the University of Western Ontario. Please forgive my late arrival.

I've distributed to all of you a set of three pages of slides—I'm going to refer to about five or six of those slides as I speak—and a cover sheet from our recent COU Council Highlights. The whole highlights are available on the Web but I want to refer briefly to a statement in there.

I'll try to be brief. My presentation will focus on two issues: one is our student loan system and the other is the quality of education at our universities. I'm going to focus, in each case, on Ontario issues generally but, where possible, on the impact of particular policies at Western.

To begin with, the student loan system: here I'm speaking to those first three or four slides that you have before you. At Western, we are concerned about debt levels at the university. I've got some data for you in the second slide down on the left-hand side. These are typical of Ontario universities and indeed typical of Canadian universities. About 30% of our students graduate with no debt, some 55% have some debt but debt less than \$35,000, and about 15% are over \$35,000. The average debt of all students graduating in the year 2000 was about \$16,000.

My pitch to you is that we need to focus in on those students at the tail end with the highest debts. We think, for the most part, our students can manage the debts. The default rate in Ontario now is less than 11% for universities generally; it's under 9% for the University of Western Ontario. I've got some practical suggestions to improve the student loan system and deal with that minority of students who may run into trouble.

You can see the four proposals I've got on the slide next to it, four steps toward improved student assistance and accessibility. Number one, let's really harmonize these two loan systems. For too long we've been demanding that students fill out two sets of forms with inconsistent regulations. We make the world very complicated for them. Let's have one set of forms, one set of standards, one set of requirements. Let's truly harmonize OSAP with the Canada student loan system.

Second, let's share the risk. We are asking students to borrow. The future is uncertain. For that minority of students who get into trouble through no fault of their own, who have incomes that are much less than the average of university graduates generally, let's step up and give them a hand. The easiest way to give them a hand is to have an income-contingent system that says, "At some point after graduation—year three, four, five or whenever it is—if you've really had a disappointing experience, society will step in, through the government, evaluate your situation and help you pay down the debt." I think that system can work very well as an add-on to what we currently have. We don't need a revolution in the whole system, but we need an addition.

I think there is some fine-tuning that we could do to our system. I'd like to see the amount of tuition that OSAP will cover in evaluating student need raised. I'd like to see our medical students who are in residence—we count them as students, by the way, in our university books, but they are not treated as students for OSAP purposes. I could give you a list of others, but there is some fine-tuning that we could do to make this system work better.

Finally, let's promote graduate studies. If we're going to meet the accessibility challenge, we're going to need more professors. This is largely directed at the federal government, which provides most of the graduate student scholarships, but we also need full funding for our graduate students from the provincial operating grant. Those are my remarks on the student loan system and the question of affordability.

Now let me turn to the other side of accessibility. Accessibility always has two aspects. There is affordability; the students have to be able to afford going to university. But we need the capacity, we need the faculty, we need the staff to be able to give a quality education.

If I can turn you to page 2, I want to focus on graphs on the upper part of the page, the two right at the top of the page. On the left-hand side you can see the very discouraging trend in public funding for public universities in Canada compared to the United States. We're talking only about the US state universities; there is nothing

private in the graph. You can see that in Canada, we've cut and cut public funding to our universities; in the United States they've done the opposite. At Western, our belief is that the US has it right, that investing in your public universities is one of the best investments you can make in this knowledge economy.

What's the result? The result shows up in the graph in the upper right-hand corner, that as these cuts go through, they lead to a growing student-faculty ratio. This is true throughout Canada, but in fact a gap has grown up between Ontario and the other nine provinces.

If I have one appeal for this committee it is to focus on that student-faculty ratio. When you look, when our government looks, when society looks at the issue of hospitals, you think about waiting lines—waits for operations, a waiting line in emergency—and you debate that in the Legislature and you've been doing it for 20 years. I'm not making a partisan statement here. This is one of the things we in Ontario debate. When you look at the public schools, you say, "What about class size?" and you debate class size in the Legislature. Is it going up? Is it going down? What's the average size? Could we please start to focus on that student-faculty ratio in the same way? Because it plays the same role in my world that the hospital waiting line plays in the hospitals or the average class size plays in the public schools. What has been happening is that the student-faculty ratio just goes up and up and up, and nobody notices. In Ontario, we are now 35% higher than the average student-faculty ratio in the public universities of the United States, and that gap is growing.

Let me take you down to the bottom right-hand corner of that page 2 and I'll show you the situation at Western. I think we're typical of the rest of the province. Our student-faculty ratio has increased over the last decade by 25%. That's an enormous change. What we need is the funding to turn that around. The May 9 budget provided an excellent investment in deferred maintenance—we're grateful for that, but it doesn't help us hire people—and \$220 million toward additional students and we're grateful for that. What we need now is the complement to that additional \$220 million to cover the inflationary costs everybody is going to face—I'm thinking of a modest number like 2% or 2.5%—and the additional funds necessary to bring this student-faculty ratio down. At my university, beyond inflation, over five years, we're probably talking something like \$16 million or \$17 million to bring us down to the average of the other nine provinces, not an enormous figure, but I don't think we'll ever get there unless we start to focus on that student-faculty ratio, and that's what I would urge you to do, if I may.

My last point is simply to direct you to the Council Highlights, where we have responded to the most recent budget and outlined the very positive aspects of it. I want you to read those, but I also want you to go down to the penultimate paragraph where again we address this quality issue. You can see two priorities there. We need the funding for inflationary cost increases, just whatever the average of society is. Choose it: 2%, 2.5%, the CPI.

Without that, some of the money that we should be hiring new professors with goes simply to pay increased costs.

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Secondly, we need to cover those students who are in the system and are not yet funded. That's one of the best ways to get that student-faculty ratio down. There are a large number of students in the Ontario system not yet funded. If we start to fund those students, we can start to bring our student-faculty ratio down to the average of the other nine provinces. I put it to you that's an appropriate goal for Canada's largest and most prosperous province, that we should at least be at the Canadian average for that student-faculty ratio, that very good measure of the quality of what we're giving our students.

Interruption.

The Chair: Excuse me, Dr Davenport. Cellphones are not allowed. I think Mr Kennedy, it may be—there's something beeping.

Mr Kennedy: I beg your pardon, Mr Chair?

The Chair: I'm sorry, I thought there was something beeping.

Mr Kennedy: It's the media table.

The Chair: To the media, I would ask that all the cellphones be turned off. Thank you. Sorry, Dr Davenport.

Dr Davenport: That's my conclusion, sir, that we should be aiming to bring the student-faculty ratio in Ontario and at Western down to the average of the other nine provinces within five years.

The Chair: Thank you very much. We have approximately two minutes per caucus, and I'll start with the official opposition.

Mr Peters: Thanks very much, Dr Davenport, for coming. It's very interesting when you look at these charts that you've provided here, where you see the major shifts either up or down with ratios, they seem to start about 1995-96. I don't think there's any coincidence there. As often as we hear of increased funding for universities, it's very evident when you see these charts when the damage started in our university system—our public university system, that is.

Mr Davenport, on page 2, top left chart, you compare Canada versus the United States per student funding. Do you have a similar chart for Ontario, or could you tell me how Ontario may look as compared to that chart right there?

Dr Davenport: Yes. What you're seeing there is the average of the 10 Canadian provinces. Ontario would be below that average. I'll point out that it would be below that average for all of the 20 years. So I'm not making a partisan statement. We've had this problem a long time; we need to correct it.

Mr Peters: Recognizing that, you made that point and your graph shows that it has been ongoing, but when you look at it, it's starting in the 1990s and you start to see that downward trend. Is that trend continuing?

Dr Davenport: If we don't take steps to explicitly focus on the student-faculty ratio, stabilize it and bring it down, yes, that trend will continue.

Mr Peters: Could you provide a similar chart for tuition? As we've seen the funding per student drop, would that line be rising as far as tuitions?

Dr Davenport: Yes, tuition would have gone from about 10% of our operating revenues in 1990 to about one third today. So tuition has risen as a per cent of our operating levels.

Mr Peters: One last question—

The Chair: Make it quick, Mr Peters.

Mr Peters: Yes, I will. Today we're debating public-private education. There's a new initiative for private universities in Ontario. Do you have any opinion on what the effect is going to be on public universities with this new initiative toward private universities in Ontario?

Dr Davenport: Steve, you know I don't have a brief on that one. When I come to a group like this, I really like to think that I'm responding to questions that we've debated within the university. I think the best way to get university comment on that is to go to individual professors, because we don't have a university position on that issue.

Mr Peters: OK, I'll put it in writing to you.

Mr Marchese: Thank you, for your frank comments you made in a variety of areas. I'm not sure I'm in agreement with the suggestions you make with respect to tuition fees. My point is governments, particularly in good times, should reduce tuition fees, not increase them. Your proposal for income contingency is something that many, including myself, reject, because those with lower incomes will have to pay forever. I don't see that as a solution, nor do I see raising the cap on allowable tuition as the way to go. The answer is to reduce tuition fees, especially if the economy is good. Yes or no?

Dr Davenport: I'm at a university trying to give a quality education with among the worst total funding in North America. That's the problem.

Mr Marchese: Yes, I'm agreeing with you.

Dr Davenport: I can't agree to reductions in tuition fees, because the short-run impact is I'm laying off people. That's what worries me.

Mr Marchese: OK. Mr Davenport—

Dr Davenport: Let me now say, though, with regard to the question of fees—

Mr Marchese: Quickly, because I want to ask you another question.

The Chair: Mr Marchese, I think you should let the—

Mr Marchese: No, I'm just saying if you can, quickly, because I have another question for you.

Dr Davenport: The fees are frozen at 2% for the next five years, so when I talk about income-contingent debt reduction, it's not about getting more fee revenue; it's about helping students who get into difficulty. I sure wish those who want to help students would get behind that idea. It's about giving money to people who have already borrowed and are now—

Mr Marchese: Mr Davenport, thank you. I need to move on a little bit to make another comment, if I can. These people have had a good economy. If I look at your chart, we were giving, as New Democrats, more to your

sector in a recessionary period than this government in a good economy. What I'm saying to you is, they should be giving you more money. You see, there aren't too many other places that we have money. These people are going to spend by next year \$12 billion on income tax cuts and corporate tax cuts. Are you willing, sir, to give up your individual income tax cut in order to be able to find some of these dollars to give to your sector?

Dr Davenport: My position as the university president is that we've got to correct the public underfunding of our universities. I'm not in a position—

Mr Marchese: And where are you going to get the money?

Mr John O'Toole (Durham): I've got four points and, sort of like Mr Marchese there, I'll try and have most of the time. At pre-budget, I was pleased. Your input was very important in that. I think it was addressed; however satisfactorily is perhaps another debate. But I think it was responded to. I think the double cohort issue has been around. I think at one point \$1.2 billion in the general capital part is important. The longer-term commitment on the operating side is, I think, a first good piece to address those 73,000-plus student spaces that are being created.

I hear closely what you're saying on the harmonization issue. There are discussions, as you know. The financial institutions have backed away. If there are some more specific things you can tell us that you haven't told Minister Cunningham or others, I'd be happy to argue in favour of that. I think eliminating red tape is one of our monikers, if you will.

I want to address the student-faculty ratio. I think it's a very good point. Sort of a little more complex question is the comparison with the US model versus the Canadian model. I'm not sure whether you're the Harvard of the north kind of thing. The Ivey business school is an important and well-respected institution, moving more toward the US model. I might say, of providing high-quality education at the graduate level. But there are a lot of private universities that, for a lot of reasons, are able to provide and sustain high-quality education in a model that some would say is competitive, and we don't have that in Canada. Some of the best universities are right here in Ontario. I just want to make sure that it's not a direct comparison. There's Columbia, and then I think Mr Hampton went to one of the private universities as a graduate student.

But I think the key is, the student-faculty ratio is a very important question because some classes—

Mr Marchese: There's a question coming. Hold on.

The Chair: Order.

Mr O'Toole: He approaches it differently than I do. With some classes, though, whether it's philosophy versus a chemistry lab, we need to work with those ratios and have real numbers, and we've differentiated the tuition fees to allow you to manage that, whether it's small class versus a large class. I want to understand, is technology part of that—

The Chair: You've got 15 seconds to pose the question, Mr O'Toole.

Mr O'Toole: How much teaching time does the average tenured professor have? I know they do a lot of research.

Dr Davenport: Indeed. The key point is that I'm not talking about Harvard of the north here. I'm comparing Ontario universities to the University of Arkansas, Ohio State, the public universities of the United States. There's not a private university in any of this. We're not keeping up with those public universities, and indeed, with some states that we used to make fun of, we're now well behind them.

Our average teaching loads would be about two and a half to three courses per term, depending on the faculty in the department and the research productivity and the professor, and you'd find that when our professors leave to go down to US state universities, it's often because they can show that we're making much greater demands on them in that respect than the state universities do. So we're in a competitive situation, and every time we jack up those teaching loads we risk losing people.

Mr O'Toole: I want to thank you. My daughter had a good four years at Western university.

The Chair: Mr O'Toole, we've run out of time.

On behalf of the committee, thank you very much for your presentation this afternoon.

1340

ONTARIO SECONDARY SCHOOL TEACHERS' FEDERATION, DISTRICT 9

The Chair: Our next presentation is from the OSSTF, District 9. I would ask the presenter to please come forward and state your name for the record. On behalf of the committee, welcome. You have 20 minutes for your presentation.

Mr Brad Bennet: My name is Brad Bennet. I'm the president of the Ontario Secondary School Teachers' Federation in Greater Essex.

I'd like to start by saying for the record that no members of the opposition have coziered up to me. I'm here speaking on behalf of my colleagues and on behalf of public education.

We're opposed to the direct or indirect funding of private or religious schools. All students need an equal opportunity to maximize their educational potential. Public education is the great equalizer, allowing students from different religions, cultural backgrounds, abilities and economic circumstances to come together. This greatly contributes to our diverse society and promotes tolerance of different groups at a young age.

Enticing people to leave public education and go to segregated schools is a step in the wrong direction for our society. How are children supposed to learn about people who are different from them if they have no contact with these people? Many students in Windsor and Essex county come from countries that promote segregation.

These students thrive on the diversity of public education.

Public schools have their doors open to all students, regardless of religion, wealth, culture or ability. That is why public education is worthy of public funding. Religious or private schools that do not welcome all children should not be funded by the public. Families choosing to opt out of public education should do so at their own expense.

Gross underfunding over the past several years has hurt public education. Funding cuts in the Greater Essex County District School Board have led to significant cuts in teaching and support staff, the loss of full-day kindergarten—in spite of the documented value of such programs—shortages of resource materials for students and the deterioration of many of our buildings.

Next year, our board is losing \$200,000 in funding for school bus fuel, \$600,000 in funding for utilities and will be shortchanged about \$250,000 for grade 11 textbooks. Additionally, our board is projecting a \$215,000 increase in spending for hydro. After these expenses are considered, the new money announced by the government will actually be about 1%, or about one third the rate of inflation.

In spite of chronic underfunding from the government, dedicated staff still deliver a good program to the students, although it is becoming more and more difficult. This resilience of public education shows the solid foundation of the system.

However, funding private schools with public money could, in fact, deal a death blow to public education. A recent Lang Research poll showed that 15% of parents with children in public schools are willing to consider private school options based on the tax credit scheme. For our board, that could mean the loss of nearly 5,500 students, resulting in a loss of over \$38 million in funding. I shudder to think what this would do to education in Greater Essex, what would be left for the students that remain.

The new level of underfunding in public education as a result of the migration would lead to further erosion of public education, causing more parents to move their children to the private system, if they could afford it, and the cycle would continue until public education is all but abandoned. School boards would be unable to defend themselves since the government has already taken away their ability to generate revenue through local taxes. Those left behind to pick up the crumbs would be the special-needs students and children from families of modest means. That's not what life in this province and this country is supposed to be about. That is why public education has been, and must continue to be, the cornerstone of our society.

It is ironic that the government has been pushing school boards into making more efficient use of space in the schools over the past several years, and we could now see a reduction of 15% of the students in those buildings. In a hypothetical school of 1,000 students, if 15% or 150 of them leave the system, are the heating, utilities and

maintenance costs of the school any lower? Of course they're not. But when the flawed funding formula is applied, the money disappears with the students. After painful school closings to maximize the space in our schools, it would seem that the tax credit scheme could push us back to square one. The point of all this is that if the government feels it has \$300 million to hand out, it should be given to cash-starved public education, not private and religious schools.

The argument that parents of private school students should not have to pay twice for education is ridiculous. The public education system is the most vital resource in the province, and it exists for the good of society as a whole. Therefore, all members of society should contribute to public education, and all public money spent on education should be spent on public education.

Private and religious schools exist to segregate students by religion, ethnic group, class or ability. They pick and choose only certain students and then decide whether they stay or leave. This does not serve the entire public and, therefore, should not be funded by the entire public.

Segregation leads to ignorance and intolerance of others. This is not something that should be promoted by any government of a multicultural society such as we have in Ontario, nor is it something that should be bank-rolled with the public purse.

The recent advertising blitz funded by independent school supporters is certainly compelling evidence that they are not struggling financially and do not need a tax credit to support their choice of opting out of public education. It is disappointing to see the government proposing to cater to this special-interest group at the expense of the vast majority.

I have personally taught in schools with students from all types of backgrounds. These students work together, play together and learn from each other. Bringing students together from all corners of our society to become one cohesive group should be something we celebrate, not abandon.

What will the future of our Ontario look like if we move to a more segregated education model? When will the segregation end for our students? When they leave school, will they suddenly become enlightened about others who may be different from them in one way or another? I think not.

Public schools employ qualified staff and are required to deliver the provincial curriculum and testing requirements. Private and religious schools may or may not employ qualified staff and may or may not follow the provincial curriculum and testing requirements. Public school teachers are regulated by the Ontario College of Teachers. Many private and religious school teachers share no such obligations. Public schools are obliged to take any and all students who would like to attend. Private and religious schools can select students they want.

Ultimately, public schools are accountable to the public, while private schools are not. In an era of ever-increasing public accountability, how can the government

even contemplate providing public funding to schools that are not accountable to the public?

During the 1999 leaders' debate, Premier Harris assured citizens of Ontario that he had no intention of introducing charter schools or vouchers in Ontario. This tax proposal is a voucher system under another name and clearly lays the groundwork for two-tiered education.

Several members of the government have stated publicly that funding private and religious schools would deteriorate public education. This tax scheme would fund private and religious schools by reimbursing the families that choose these schools with public money. Why the sudden change of heart?

Obviously, for every student who is lured away from public education, the cost to the government goes from \$7,000 to \$3,500. If 15% of the students across the province migrate to private and religious schools, as the polls indicate, public education would lose \$2.1 billion, with \$1.4 billion being paid in tax subsidies and the government pocketing the difference. Stealing money like this from public education is extremely shortsighted.

A recent public opinion poll conducted by Lang Research shows that 67% of the people oppose the announced credits for private schools. Why would our government want to support something that the vast majority of the citizens oppose?

The government was not given a mandate in 1999 to dismantle Ontario's public education system. Tax credits for private schools is a Canadian Alliance policy. The government should be reminded that the Canadian Alliance was overwhelmingly rejected in Ontario.

1350

This government likes to use the phrase "promise made, promise kept." This promise was certainly never made prior to the 1999 election. If any promise was made it was a promise not to go down this road.

Because this proposal is such a radical shift in educational policy—in fact, a radical shift in our society—an election should be called immediately, and the party can run on the platform of funding private schools with public money. It is the only way to find out if the citizens of this province embrace or reject this position. Only if the government is given this kind of mandate from the citizens it represents should the tax credit receive serious consideration.

In closing, the removal of billions of dollars from public education is no simple amendment to Ontario's tax policy. It is a fundamental change in the nature of our province. It strikes at the very heart of the purpose of education and the character of our society. This shortsighted, divisive tax credit plan should be abandoned and the \$300 million earmarked for tax credits should be injected into the cash-starved public education system immediately.

I have copies of everything I have said. That concludes my remarks.

The Chair: Thank you very much. We have approximately two minutes per caucus.

Interruption.

The Chair: I would remind the audience that every time there's a demonstration, you're taking away from the time of the presenters.

Interruption.

The Chair: There is a procedure, sir, and we're following procedure.

Mr Marchese, you have two and a half minutes.

Mr Marchese: Mr Bennet, if by some miracle this government were to put back \$2.3 billion, would that change your view about public dollars for private schools?

Mr Bennet: I think there are two parts to it: there's the money being taken out of public education, and then there's the societal change, I guess, in the integration. I believe that in a society such as ours, every opportunity we have to bring young people together at an early age is advantageous.

Mr Marchese: What do you say to the point that you have a monopoly, and that's not good; that you are afraid of competition, and that's not good; and why are you against people having choice, which some argue is a human rights choice for them?

Mr Bennet: We are not opposed, and I'm not opposed, to people having choice. I think people have that choice right now. As I said, I think public education benefits everyone in society, and therefore there's an obligation on everyone in society to contribute to it.

We are ultimately accountable to the public. The mandate comes down from the provincial government, and the government is elected by the people of the province. If we're not meeting the needs of society, then we certainly hear about it and changes have to be made. So I don't see it as a monopoly; I see it as an obligation, a two-way obligation.

The Chair: For the government side, Mr Hardeman.

Mr Hardeman: Thank you very much for your presentation. First of all, I want to say that I'm not going to debate or argue the issue of the adequacy or lack of adequacy of the education system. Listening very intently to your presentation, I have real concerns with your position that parents who make the choice to send their children to an education other than the one you and I support and send our children to—that somehow that breeds intolerance, that those choices cannot create a tolerant society, that somehow those children will not be as good citizens as my children. I take great exception to that, unless, of course, you can come up with some evidence that shows that.

Obviously we've had this going on. In my community we've had an independent school for 43 years. I would be hard-pressed to come up with any documentation to show that children who have gone through that system are not as tolerant and as acceptable citizens as the ones who have gone through your school, sir. I take great exception to that statement. I don't argue with your right to promote the qualities of the system you work in, but I take great exception to your thinking that somehow people in my community are substandard because they didn't decide to choose the system you work in.

Mr Bennet: Am I allowed to respond? Is this a lecture or a question?

Mr Hardeman: Your organization, sir—

Mr Bennet: May I respond?

The Chair: Mr Hardeman, let the presenter respond.

Mr Hardeman: I didn't ask a question.

Mr Bennet: I didn't come here to be lectured to by members of the government.

The Chair: If you could pose the question, because we're running out of time.

Mr Hardeman: Thank you very much.

The Chair: Go ahead and reply.

Mr Bennet: Thank you. I take great exception to words being put in my mouth. That's not what I said at all. What I said was that the more segregated society becomes, I think there's the potential for less tolerance. I think that if we look back through history, in a variety of ways—

Mr Hardeman: No, that's not what you said, sir.

The Chair: Order, please. Go ahead.

Mr Bennet: —segregated societies have led to difficulty. If a government encourages people to move to more segregation, then we're headed in the wrong direction. I did not say that anyone is less a citizen or less a person.

Mr Kennedy: Thank you for your presentation. By way of the point you're raising right now, I just want to make you aware, if you're not already, that this is the Ontario government's only piece of research on funding private schools. It's what they presented to the United Nations. It's a careful draft and what it says, for example, is that funding private schools "would undermine the ability of public schools to build social cohesion, tolerance and understanding," exactly what you just said. The member opposite may wish to dissociate himself from his own government's only research on this subject, but it's that kind of jumping back and forth that we've seen.

The other issue and the one that I think is very germane—

Interruption.

The Chair: Excuse me, Mr Kennedy.

To the gentleman in the blue shirt: if you insist on being removed from this room, I will do so. If there is one more demonstration from you, I will have you removed from the room, sir. Thank you.

Mr Kennedy.

Mr Kennedy: On this side table we have the figures, which I think everyone is now aware of, that there's been a deduction in funding from the schools that your members try to teach in. You have lost, just in the last year, some \$124 per student, which is a compounded loss of \$520. We don't hear about this in the Legislature. The members from the government side, at least, aren't talking about what your schools need, what it takes to get excellence for the kids in those schools. They would have us believe that all the money in the world, and more importantly all the resources, are there.

I wonder if you could touch on some of the things your members have to contend with that this is going to

deduct from as it draws more resources away from public education.

Mr Bennet: I think that ultimately it would lead to more closures of community schools, which is a real loss for the communities. We're struggling right now to get adequate resource materials for our students. We have beat-up old textbooks, in many cases, that are not even usable any more. The staffing levels have been cut to the bone, and it's already having a negative effect in the classrooms. Further funding reductions will obviously lead to further staff reductions. I just don't see anything good in there for the students. Yes, we sure have noticed over the past several years that there are fewer and fewer real dollars in public education. Otherwise, we wouldn't be closing schools and boards wouldn't be on the verge of running deficits all the time.

The Chair: With that, we've run out of time. On behalf of the committee, thank you very much for your presentation.

1400

ONTARIO SECONDARY SCHOOL TEACHERS' FEDERATION, DISTRICT 11

The Chair: The next presentation is from the OSSTF, District 11, political action committee. I would ask the presenter to please come forward and state your name for the record. On behalf of the committee, welcome. You have 20 minutes for your presentation.

Mr Brian Brown: Mr Chair and members of the committee, thank you for the opportunity to present to you today. My name is Brian Brown. I'm a Woodstock teacher and chair of the OSSTF's District 11—that's Thames Valley—political action committee. If you're wondering, yes, I'm one of those big bad union bosses we've heard about in the government ads. Please don't be afraid.

For the past six years, the government of Ontario has eroded Ontario's public education system. The government's latest budget includes a tax credit for private school tuition which will cost \$300 million, and perhaps \$700 million, a year. The government is attempting to perpetuate a massive transfer of hundreds of millions of dollars from the public education system to the private system. Half a billion dollars, maybe more, that should be invested in public education is being put into private schools. After attacking public education for six years, the Tories now want to pay people to leave public education for private schools.

This is an enormous reversal for the government. Education Minister Ecker and Premier Harris are both clearly on record—I know you've heard that repeatedly at these committee hearings—opposing the transfer of public money to private schools. During the televised leaders' debate in the 1999 provincial election, Premier Harris stated clearly that he was opposed to funding for private denominational schools. In a January 18, 2000, letter to Leader of the Opposition Dalton McGuinty, Premier Harris said such funding would cost between \$300 million

and \$700 million a year, and he added, "Obviously such an action would run directly counter to Ontario's long-standing commitment to public education."

The proposed tax credit is nothing more than a voucher plan by another name. It is a way for people to take public dollars intended for public schools and put them into private schools. Faith-based private schools have been exploited into thinking there's a fairness issue involved, while secular private schools are quietly waiting for a windfall. While OSSTF is sensitive to the sacrifices made by parents who choose to send their children to faith-based private schools, the failing health of our once proud public education system needs to be the public priority. OSSTF district 11 is firmly opposed to this voucher system.

Issues: the committee has heard already from groups opposed to the funding of private schools with public dollars and opponents have told you a number of things that concern them: the threat to Ontario's multicultural society; the idea that there's a proposal to fund private schools with public money at a cost of \$7,000 to the public system for every child who leaves public schooling. Bill 45 provides an incentive for families to remove their children from public schools, divides education according to income level, race or religion and flouts democracy by not providing real public consultation over 80 days or more of hearings, hearings that might unite faith-based and public supporters rather than divide.

District 11 OSSTF political action committee shares those concerns. In addition, PAC wishes to emphasize two others: accountability and empirical research.

Accountability: private schools are not held accountable in the same way public schools are. Anyone with \$250 and a half-page form can open a private school. Of 734 private schools in the province, only 27 participated in grade 3 or grade 6 testing last year, 604 did not hire certified teachers and only 90 were inspected by the Ministry of Education.

The \$3,500 tax credit per child per year proposed by the government is a subsidy of \$42,000 per child who attends private school from grades 1 to 12. Private school advocates have openly stated that they expect to be given money with no strings attached; that's public money, no strings attached. They refuse to be held accountable by the government for curriculum, teacher qualifications, student testing or any other standard which applies to the public system.

The Ontario Human Rights Commission exempts private schools from parts of the Human Rights Code, and private school budgets are not part of the public record.

Please don't misunderstand me. There are excellent faith-based schools. My concern is that they're being used as a smokescreen.

Empirical research: The government's lack of research before tabling Bill 45 is shocking. Does anyone else have the impression the government is making this up as it goes? Education Minister Ecker was, by all reports, not even included in the decision to include tax credits for private schools within Bill 45. On June 11, Finance

Minister Flaherty admitted to this very committee that he did not conduct any studies, any polls, any research to test whether or not parents would view the tax credit as an incentive to switch their children to private schools. Minister Flaherty also could not tell this committee what research, if any, Education Minister Ecker and Premier Harris used in January 2000, when both wrote letters stating that extending funding to religious schools would cost the province "at least \$300 million and possibly as much as \$700 million."

Empirical research is available in Edward Fiske's *When Schools Compete—A Cautionary Tale*. I hope you've all read it. If you have, please read it again. If you have not, please consider it a core text for your committee's work. As a teacher, that's the homework I'll assign. When *Schools Compete* is the first book to provide detailed quantitative and qualitative analysis of what happens to an entire school system when private schools are funded with public money.

The book documents 10 years of reform efforts in New Zealand, whose school system operates much like ours. In 1989, New Zealand's school boards were gutted and a strict one-size-fits-all defunding formula was imposed. Sound familiar? Money was taken out of poorly performing schools to punish them. The author concludes that the New Zealand experiment was ultimately detrimental to public schools. Lower-income and minority students were harmed. Teachers fled the country and the profession. International test scores fell. If Minister Flaherty had studied such data, surely he would not have included private school tax incentives in Bill 45.

Finally, I'd like to share five local examples of ways in which the government's policies in education are inflicting real harm. Each example bears witness that the systematic defunding of public education has done serious damage in Ontario and each begs the question: if there's not sufficient funding in public education, what planet is the government coming from by providing public funds for private schools?

I'll let you read item 1 for yourselves, which has to do with retirements.

Item 2 has to do with textbooks. My school, College Avenue Secondary School in Woodstock, received its grade 11 textbook budget yesterday. The school has \$16,496 to spend on next year's 175 grade 11 students, who will begin their third year as curriculum guinea pigs in September. That's \$94.24 per student. There are three books we must purchase: math, \$60; science, \$70; English, \$50.

Let's do that math: \$180 total. Now, if we can arrange the timetable to teach four classes of 22 students in each semester in each course, then the school will need to spend only \$90 per student—half of them in the first semester, half in the second; use the books twice—with a net saving of \$4.24 left over. What will we spend that on? Here's a partial list: tax, shipping, chemicals, test tubes, novels, paper, photocopying, Kleenex. What's missing? Each grade 11 student will take seven or eight courses. We have money for three. Geography text? No

money. History? No money. Bookkeeping, family studies, tech ed, computer texts? No money. Once again, how can the government justify taking tax money out of public education and giving it to private schools when students in the public system will go without such basic supplies as textbooks?

Library: Under the one-size-fits-all defunding formula, the Thames Valley District School Board cannot staff its libraries. Solution? Either close the libraries one period a day or move staff away from guidance to the libraries. In September, guidance departments will lose staff in order to keep libraries open. Again, if there's not sufficient funding to adequately staff both guidance and libraries, how can the government justify private school funding?

My last two examples are personal and tragic.

Stephanie Mason is a special student at my school. Stephanie is 18, deaf and blind. She has cerebral palsy and developmental delay. Before government cuts, she had a teacher of the deaf for 50% of each day. Two years ago she was cut to one period every other day. Today she gets a check-in visit once a month. I wonder what Stephanie could be doing right now had she had more support in her high school years. It makes me want to cry to see this sweet girl struggling to walk through our halls, knowing what a scary place school must be for someone who cannot see or hear what is going on around her. If there is no money for Stephanie, how can there be \$300 million for private schools?

1410

Deb Potter writes from her heart about her son Steven. Her letter is attached. Please deliver it to Premier Harris, to whom it's addressed. Steven is a 17-year-old bright kid who happens to be blind. To get ahead in his schooling, he hopes to attend summer school. There is no funding for Brailled materials, one-on-one instruction, an educational assistant or transportation. Steven's mom has enrolled him anyway. She'll sit with him and transcribe his lessons into Braille. She worries how he'll feel—a 17-year-old who takes his mom to school—but feels there is no other choice. She asks Premier Harris in her attached letter, "What exactly is being funded for children with special needs to assist them in keeping up with your curriculum?" She states at the end, "I do not understand how your government can afford to give families sending their children to private school a tax credit and not afford to give the children already enrolled in public education the funding they need. Please explain this to me."

OSSTF PAC has four recommendations:

(1) Those sections of Bill 45 dealing with tax credits for parents of private school students should be withdrawn.

(2) The \$300 million in the Ontario budget for the tax credits should be reallocated to the budget for public elementary and secondary education.

(3) Those sections of Bill 45 dealing with tax credits for parents of private school students should be dealt with as policy of the Ontario PC Party and brought before the people of Ontario in the next election, if you have the courage.

(4) Begin at once an honest dialogue with faith-based private schools, about 30% of them, to find ways to accommodate them within a fully inclusive, publicly funded and publicly accountable system.

I do have a fifth: elect that man sitting over there as the next Premier.

Thank you very much.

The Chair: Thank you very much. We have two minutes per caucus. I'll start with the government side.

Mrs Dianne Cunningham (London North Centre): You mentioned that you had some research on schools in New Zealand.

Mr Brown: Yes.

Hon Mrs Cunningham: I'm just wondering, when you were doing that research, if you had looked at anything or if you can provide our committee with any information on schools in British Columbia, Alberta, Saskatchewan, Manitoba or Quebec. I think you can see where I'm coming from. In spite of everything, the government does have an issue at hand, so if you could respond. If it's likewise in the other provinces, then we should really seriously consider this.

Mr Brown: I don't think it's likewise in the other provinces. I think that the funding of private and faith-based schools elsewhere is not given to the parents. It's not an incentive to take their children out of the public schools; it's public funding for publicly accountable private schools. That's quite a different thing from what's proposed in Bill 45. Yes, I do have that research and I'd be glad to supply you with a list.

Hon Mrs Cunningham: Could you just broadly, if you've got the research, say that there was any problem one way or the other?

Mr Brown: There are problems when public education is perceived to be underfunded. There are localities, and I think England is a good example, where the funding is starting to come back to what might be considered proper levels at 8% per year.

Mr McGuinty: Thank you for a very compelling presentation. We've talked about the impact of this government's defunding policies on children. I want to speak for a moment as a parent of four children. The single most important resource to me in the classroom is not the computer, it's not the textbook—those are valuable tools—it's not even a desk. It's the teacher. I am very worried about the corrosive impact this government's educational policies have had on the morale of our teachers. I wonder if you might speak to the impact that this particular policy will have. We've got a government that is saying to its teachers, "We are inviting parents to abandon public education and to go to private schools." What does it say to the 150,000 teachers who get up every morning and go to work and teach our kids?

Mr Brown: Thank you for the question. It says that we're not particularly valued. It says that we're demeaned. It says that we're unimportant. It says that we don't count. Certainly the evidence of the New Zealand experiment indicates that teachers are leaving. Teachers are leaving the profession. Teachers left the country.

I didn't read one paragraph of my presentation to you to allow time for questions, and that's item 1 under personal examples, local examples.

I attended a Thames Valley retirement dinner a week ago Monday. There were over 500 teachers present leaving Thames Valley, elementary and secondary together, and they're all ages. There's a two-year teacher at Glendale High School who said, "I've had enough. I can't take this any more." He's going back to law school and he'll be a darned good lawyer, as he's been a darned good teacher. He has that choice. At the other end of the spectrum we've got two principals who are going to Texas, where they hope to find enjoyment and value.

Mr Marchese: Thank you, Mr Brown. It was a good presentation. I found it very useful, and you raised some good points. You talk about under the one-size-fits-all defunding formula, which is curious, because I've used this before in committee.

Mr Brown: I've heard you use it.

Mr Marchese: They have no problem using that for the funding formula, but then I've heard Mr Hardeman and Mr O'Toole use that same expression, saying, "Why should we use the one-size-fits-all for all children?" Presumably everybody is different, they learn differently, they have different ideas about how they should be educated. So what's wrong with that?

Mr Brown: There's some essential hypocrisy there on the government side, I'm afraid to say. One size fits all: we have students who probably cost the public system \$1,200, maybe \$1,000 in terms of educating them. They're the brightest of the bright. A lot of people say about them, "You know, they'd get through in spite of their teachers." Then we have students I think of, like Stephanie and Steven, who aren't \$7,000-a-year students. They're probably \$25,000- or \$30,000- or maybe \$50,000-a-year students. So if we lose the \$7,000-a-year students and funding to the private system, then that's a chunk of cash we just can't live without.

Mr Marchese: You're quite right. By the way, your second example of Stephanie is something that other people have spoken about. They said that if they have the money they'll opt out; and if they don't, it means we have \$2.3 billion less now, and those whose needs are greater will have even less for the system to be able to deal with. That was raised by many too, by the way.

Thank you for your presentation.

The Chair: On behalf of the committee, thank you very much for your presentation this afternoon.

ELIZABETH ANTUNES,
JEREMY McNAUGHTON,
HARMONY SPIVEY, PARIS MEILLEUR,
DAN HILTON, DAVID BLOCKER

The Chair: Our next presentation is from Paris Meilleur, if the individual could step forward. On behalf of the committee, welcome.

Ms Elizabeth Antunes: Unfortunately, Paris is not here yet. She got tied up in traffic. She's coming from school, so it's pretty difficult to get out here.

The Chair: If you could please state your name for the record and introduce you colleagues.

Ms Antunes: Yes, of course. My name is Elizabeth Antunes.

Ms Harmony Spivey: I'm Harmony Spivey.

Mr Dan Hilton: Dan Hilton.

Mr Jeremy McNaughton: My name is Jeremy McNaughton.

The Chair: Go ahead whenever you're ready.

1420

Mr McNaughton: I'm sorry we look a little disorganized. One of our presenters isn't here, so I'm just filling in at the last minute.

This group of students here on Friday, June 11, occupied Dianne Cunningham's office. I'm sure you all have heard about it in the news. They staged a sit-in and they presented a list of demands. I'll briefly list the demands.

They demanded that the private school tax credits part of Bill 45 be scrapped. They demanded that the \$300 million allocated for private school tax credits be invested into the ailing public system. Given the precedents set by Bill 160, Bill 74 and Bill 132, they called for an immediate halt to the unrelenting attack on public education. They demanded that the practice of fast-tracking legislation be stopped immediately, as it is contrary to the principles of a true participatory democracy. They demanded that extensive and accessible province-wide hearings be held for all future legislative changes with ramifications to the public education system. Finally, they demanded that the Ontario Conservative government issue a sincere apology to parents, teachers and students of Ontario for the harm they have done to the public education system.

Each of us is going to present a little bit on each of our demands. To start off, the statement I would like to make is that this is a government, the Ontario Tory government, that has consistently attacked the poor as welfare bums. They've set up hotlines for welfare fraud, they've talked about getting people less dependent on welfare, and here they are, offering a free handout to the people who need it least, the people who can afford to send their kids to private school. I would like to see the government reverse that policy because they are creating a wealthy class that doesn't need to be dependent but all of a sudden is being given a free handout, a free discount to private schools that no one else can afford. I think that's ludicrous.

I know that part of this debate is about religious schools, but if this honestly was an initiative by the Harris government to address the problem of religious schools, then it would say that specifically in the bill. There is nothing in the bill that addresses that this is specifically for a religious alternative curriculum. That's my first statement.

Ms Spivey: My name is Harmony Spivey. I'm a grade 12 student at Central secondary school here in London. I speak today as a concerned student who has seen first hand the harm that Tory education cuts have done to the quality of education we receive here in Ontario. It was because of this first-hand knowledge that I chose to partake in the June 1 sit-in.

In May, when I initially heard about Bill 45, I was shocked and, frankly, confused. Had not this same government stated on record that financing a private system with public money was a bad idea? Indeed, I was correct. I know we've heard these quotes many times today but let's just hear them again to remind everyone what the Tories did say. In 1995, during the leadership debate, Premier Harris stated, "I've been asked, would I support private schools? ... I went to the Jewish Congress and I said no. My priority is public education."

The government's own Minister of Education, Janet Ecker, went even further to state, in a January 19, 2000, letter to Dalton McGuinty, "Complying with the UN's demands would remove from our public education system at least \$300 million per year, with some estimates as high as \$700 million."

Well, Mr Premier and Mrs Ecker, as a student among the 95% of those who are educated in the public system, I'd have to say I agree with you. With the vast majority of Ontario students in the public system, your first priority must obviously be to ensure that this system is adequately funded. However, this bill blatantly contradicts that assertion of priority toward the public system.

What, may I ask, Mr Premier and members of the committee here today, has caused this dramatic policy reversal? Perhaps if we students could conjure up \$175,000 in lobbying money, it would be our voices and interests represented in the legislation today; or perhaps we should just donate that money directly to our own Thames Valley board of education, which will be forced next year to cut 75 support staff positions as they are \$3.5 million short in funding because your government has told them there is no money. This would lead someone with any sort of your much-extolled common sense to believe that the cuts to public education are indeed financing this private education tax cut.

My second major concern, which has been echoed by many others, both present and absent from this hearing, is that this legislation is a voucher system disguised by the favourite Tory buzzwords of "choice" and "fairness." Mr Harris, you may deny this as vehemently as you wish, but the fact remains that a voucher system gives money directly to parents so they may opt out of the public education system and enter into the exclusive private sector. The \$3,500 personal tax credit does just this, resulting in the fragmentation of a strong universal public system which does not pick and choose its students according to their intellectual or economic status.

This government has made many reforms under the pretense of accountability and standardization within education. It is here again that we see another large contradiction. Private schools are subject to neither financial

accountability nor the rigorous standardized testing of both students and teachers that the public system is subject to under government regulation. This tax credit, disguised as a voucher system, is a dangerous step in the wrong direction. Even George Bush has been forced to scrap this idea after 35 states recently voted against it. The fact is that the Harris government is allocating public money directly to parents so they can opt out of an already underfunded and suffering public system and enrol in the private sector, which is not financially accountable nor subject to government standards or testing.

Government funding of a private system does encourage the fragmentation of our society according to wealth, ethnicity and intellectual ability; differences which the public system, by its nature, seeks to resolve. In doing this, the Tories will conveniently save \$3,500 for each student who leaves the public system for the private sector. What do you know? Our government is once again saving themselves money for corporate tax cuts by encouraging the division of our society.

This legislation should be stopped immediately, because even as Mike Harris himself has said, his priority is to public education. Some 95% of school-aged children in this province attend public schools, and as long as this system remains in the battered and bruised state it is currently in, I as a student will raise my voice in passionate opposition to this section of Bill 45.

The Chair: Could you state your name for the record, please, and your colleague to your left also.

Ms Paris Meilleur: My name is Paris Meilleur.

Mr David Blocker: David Blocker.

Ms Meilleur: Sorry I'm late. I was in school. I'm a grade 11 student at Central secondary school. Thank you for inviting me to speak at this public hearing. I was extremely surprised when I heard I was one of the few chosen to have our 20 minutes at the microphone since so many notable figures have not been given the same opportunity. Lisa Widdifield, for instance, Public Education Rights Coalition spokesman, has spearheaded numerous protests against Tory policy, including Bills 160, 74 and now Bill 45. She represents hundreds of concerned parents and citizens across the city but she was shut out of the process because she was not endorsed by a political party. And we call it democracy?

I also noticed that the name Jeremy McNaughton does not appear, although he too asked to have his 20 minutes. Luckily he is here. Jeremy, a graduate from Beal's broadcasting program, is a community activist and leader. He has appeared several times at inquiries, debating and discussing political issues, and would no doubt have been a speaker who could have cut to the heart of and exposed these PC atrocities. Luckily, he is here. Jeremy's experience in Windsor and Quebec City offer an insightful global perspective on Mike Harris's right-wing, neo-conservative agenda.

Nor was Elizabeth Antunes given a time if it wasn't for now. Elizabeth was instrumental in organizing the Canadian Federation of Students Access 2000 walk-out in London. It's no surprise that Liz's expertise was not

sought, as it is understood that Harris supporters show great disdain for the CFS and their ability to organize and mobilize students. I suspect she was not asked because these hearings aren't really intended to represent the people and our concerns. These glaring omissions, to refuse to include and consult with these key social activists who represent hundreds of Londoners, is indicative of the nature of these hearings.

I am convinced that my presence here has more to do with a public relations move on the part of Dianne Cunningham than this committee's true wish to hear the public outcry. On Friday, June 1, myself and four other students seated here staged a sit-in in Dianne Cunningham's office. I feel this is the reason for us being here. Fortunately, we do have Liz here and the three others present at the sit-in in Cunningham's office. We worked together on this, risking arrest and reputation in order to bring some attention to the public response against Bill 45. It is pathetic that in a democracy one has to stage a sit-in to have one's voice heard.

The good old days of calling your MPP and making an appointment to discuss legislation are evidently over. We had called prior to our sit-in and requested a meeting but were told there was a four-week waiting list. Again, in the good old days, when accountability to one's constituents was actually valued, we would have been able to wait four weeks. Legislation used to take months and months to debate. That's not so this time. But the teachers, parents and students whose lives will be drastically affected by this attack on public education couldn't wait four weeks. The bill was set to pass in three, and our future is far too important to let this one slip by. Therefore, I must insist that I'm happy they're here and have been allowed to speak, that we are here together to talk.

The issue I will talk about right now is public hearings. One of our demands to Dianne Cunningham when we did our sit-in was extensive and accessible province-wide hearings in all ridings for all future legislative changes with ramifications for the public education system, or any other public system for that matter.

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Fundamental to the core beliefs of Canadians and the workings of a participatory democracy is the idea of hearings and consultations. There have been reports and documentation citing that the Minister of Finance had secret meetings with special-interest groups. Key among them, there is a letter from the executive director of the Ontario Alliance of Christian Schools explaining that \$175,000 was spent to lobby the government for this tax credit legislation. There are also plans for more money to lobby, as Harmony mentioned. If every person in Ontario were given the same opportunity as the Christian alliance for their concerns to be heard, this would be a useless point, but the fact is that parents' groups, like Lisa Widdifield's PERC, are not allowed to speak to the flaw in the system and in your perception of a democracy.

Even former Ontario Premier Bill Davis held 80 days of public hearings across the province to debate and discuss full funding to the separate board. When millions,

even billions, of dollars are effectively being transferred out of the public system and into the private sector and those most affected by this are not consulted, there is a problem. So we suggest a solution to this government-created crisis: halt the legislation or scrap it and hold fair and comprehensive public hearings. We suggest that all MPPs go back to their ridings and truly act accountable to their constituents. These hearings must become accessible and inclusive. It's difficult to tell if pros and cons are being presented here or if the deck is stacked.

Public hearings are meant to serve a function. First, public input is gathered, then legislation is drafted, then more public hearings are held and only then does it start to get passed in the Legislature, not the other way around. When this government does this for Bill 45 and all subsequent attacks on the public system, then we'll know we're being heard, because this is what democracy looks like.

Ms Antunes: I'm sorry if you can't hear me. Before I present my third demand, I would like to say that this is very indicative as to why we need to host a sit-in. I noticed as I sat here that while Harmony and Paris were speaking, our Tory MPPs, quite rudely, as usual, were not listening to us. They were commenting and talking to themselves and giggling.

The Chair: If there's anybody that has to be the regulator, I'll do the regulating. I've heard that comment from many presenters and, let me tell you, I hear chit chat on both sides. I agree with you that it is disruptive, but if someone has to regulate the meeting, let me tell you that I will do that, OK? So I would strongly suggest that you proceed with your presentation.

Ms Antunes: Thank you very much.

The third demand here is that, given the precedents set by Bills 160, 74 and 132, we call for an immediate halt to the unrelenting attack on public education. These three bills have desecrated the public education system. Bill 45 will have similar ramifications and is the next step toward the privatization of our education system.

Bill 160 has transferred the control of the most important aspects of education from the locally elected school boards to the government and has removed \$1 billion from public education.

Bill 132 allows for-profit business to grant university degrees and has downloaded the responsibility of funding on to students in the private sector.

Bill 74 shifts the focus of accountability from the local community to the Minister of Education. The bill gives the cabinet and the minister sweeping powers to assume management on concerns that the government's agenda is not being implemented, and local needs will become secondary to provincial priorities to ensure the future of privatization of our education system.

Our public education system is not for sale and we demand that this government protect our education system. If you feel that the public education system is not worth investing in now, then imagine the cost of the ignorance of future students going through the system.

Mr Hilton: Mine's pretty quick, that the practice of fast-tracking legislation be stopped immediately as it is contrary to the principles of a true participatory democracy. I think we see that right here in this very so-called public hearing. As we've noted before, even previous Tory governments, which this one could learn from, did 80 days consultation under Bill Davis for a similar money transfer to give separate school boards full funding. That was a real consultation with the public.

Five days in five cities—you had to show up this morning to find out if you were even speaking. That's just not acceptable. Students right now who are most affected by this are preparing for exams. Teachers are working. Parents are working. Who gets in here? Groups with money, that's who gets in here. We had to take extreme measures to get on to this board, and no one's going to change my opinion that it took those strong measures for us just to speak here today. A very small percentage of students is represented here today. It's a shame that this is the style, the tactics that the government has taken on this and many other issues.

As a post-secondary student, I know that it's two weeks after school that the most amazing changes happen to post-secondary education, almost every year since the Tories have been in, making it incredibly difficult for the people most affected to even respond to it. And that has to stop. Thank you.

Mr Blocker: I'd just like to speak briefly about our second demand, that the \$300 million allocated for private school tax credits be invested in the ailing public system.

I'm a grade 11 student at Central secondary school and I know from experience that our education system needs money. This government has taken money out of the public education system and it's suffering as a result. Now they're just pouring salt into the wound by giving \$300 million into a private system which cannot be held accountable.

Therefore, I would just like to propose—demand, rather—that the Tory government reinvest this \$300 million into the public system. They could, for example, remove the 30,000 children on waiting lists for special education programs. They could deal with the fast-rising energy costs which have afflicted our own board here, the Thames Valley District School Board, which has had to fire 75 workers. They've had to let 75 workers go. Seventy-five support staff have had to be let go as a result of these energy costs and the fact that they don't have enough money in their budget.

You could perhaps train teachers on the new curriculum you've introduced. Maybe you could provide textbooks in this new curriculum. Maybe you could ensure that all elementary schools have music teachers, that all elementary schools have full-time principals, and restore funding to ESL—English as a second language—programs. You could return extracurricular activities to secondary schools.

All these things could be done with the \$300 million you have taken out of public education and transferred to an unaccountable, divisive private system. Thank you.

The Chair: Thank you very much. With that, we've run out of time. On behalf of the committee, thank you very much for your presentations this afternoon.

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BOB DILEMAN

The Chair: Our next presentation this afternoon is from Bob Dileman. On behalf of the committee, welcome. You have 20 minutes for your presentation. Could you please state your name for the record.

Mr Bob Dileman: My name is Bob Dileman. I would like to thank you for giving me the opportunity to make this presentation and I would like to thank the Harris government for doing the right thing and the fair thing by taking steps to provide equity in educational choice.

My name is Bob Dileman. I am, first, a parent of two elementary schoolchildren. Second, I am a chartered accountant with numerous clients who choose to send their children to independent schools. Third, I have personal experience with both the independent school system and the public school system. Fourth, I sit on the executive committee of two independent schools, John Knox Christian School in Woodstock and London District Christian Secondary School here in London.

I feel that these four areas make me uniquely qualified to address this committee.

I feel it's important that there be an open discussion and debate about the education tax credit, because education is an integral part of everyone's life. Throughout our lives, from birth onward, we are constantly learning. Learning is a continual process, whether it be discovering how to walk, as my one-year-old son has recently accomplished, or whether it be learning to use the Internet, as my 69-year-old mother has recently accomplished. Learning is a process of observance, listening, trying, practising and making mistakes. It impacts our lives on a daily basis. What we learn when we are young is most likely to stay with us when we are older. Many of my generation still have trouble visualizing the length of a centimetre, but we all know how long a foot is.

As parents, we have the right and the freedom to choose how to teach our preschool children. My wife and I are fortunate that she can usually stay home with our preschool child to make sure he gets the solid basis that the rest of his life will be built upon. Experts tell us that the preschool years are the most important years in developing a child's character and personality, but the next most important time in a child's development is in elementary school. It is here where parental rights and freedoms and choices start to diminish. Parents ought to have the freedom to choose education that conforms to their beliefs, values and traditions of their home. Education is a partnership between the home and the school. The more harmonious the two, the more effective will be

the raising of children to become productive, caring and giving members of society.

In an independent school, parents have more input into their child's education. In an independent school, parents are the backbone of the school community. They are directly involved in their child's education in many ways.

First, parents in an independent school volunteer their time in the classroom. Parents volunteer their time on the soccer field. Parents volunteer their time at the hockey rink. Parents volunteer their time on class trips. Through volunteering, parents see at first hand what happens in the classroom, on the playground and in extracurricular activities. They can make suggestions to the teachers, to the coaches and to the students.

Second, parents in an independent school volunteer their time in committees. Parents volunteer their time to maintain and set the educational standards of the school. Parents volunteer their time by sitting in on classrooms and doing an informal evaluation of the teacher. Parents volunteer their time to promote the school in the local and broader community.

Parents volunteer their time to arrange transportation of their children to the school of their choice. They volunteer their time to plan the bus routes. They volunteer their time to ensure that maintenance of the buses is kept up to date.

Parents volunteer their time to make sure the physical building and playground are safe. They volunteer their time to keep the building maintained. They volunteer their time to plan changes to the physical building and grounds. They even volunteer their time to make those changes, repairs and upgrades.

Parents volunteer their time to raise funds for the school, whether it be organizing a baseball tournament, selling bedding plants, organizing an auction, organizing a fundraising dinner, collecting soup can labels or through a variety of other activities.

Parents volunteer their time to plan the finances of the school. Parents volunteer their time by sitting on a partnership committee where staff salaries are discussed and consensus is reached—not negotiated, not bargained, but consensus.

Third, parents in an independent school volunteer their time to attend membership meetings. At a membership meeting, they can have a say on any matter that affects the school. At a membership meeting, they can vote on various matters that are brought to the floor, including the annual operating budget of the school.

Fourth, parents in an independent school volunteer their time to sit on the board of directors. There is no per diem rate for these directors. They attend monthly board meetings, plus they each chair one or more committees of the school.

Finally, parents in an independent school care for each other and for each other's children. Through our interaction with other parents, we trust and respect each other with our greatest God-given gift, our children.

Through the interaction and volunteering that the parents do, we have a strong desire for quality education.

In an independent school, we parents are able to have a direct influence on what happens, both inside and outside the classroom. We are involved and we take ownership.

As a chartered accountant, I have the privilege of serving many citizens of Oxford county as a professional tax adviser. These citizens include supporters of the public school system, the Roman Catholic school system and independent schools. I provide services to businesses, farmers, not-for-profit organizations and individuals. Through my professional contact with these various taxpayers, I have obtained a wide and varied wealth of financial information. Because of confidentiality, I am not able to discuss specific details. However, in general terms I can speak to certain matters.

My database of tax clients shows 208 families with children under age 19. Of these families, 35 have children in independent schools. If I remove the 13 farm families because they have special tax treatment, that leaves me with 22 non-farm families, 10% of the total. I believe the provincial average is also around 10% of families with schoolchildren attending independent schools.

My survey of these non-farm families shows the following statistics for the year 2000: eight families, or 36% of the total, earned under \$40,000—that's both parents, mom and dad, combined income under \$40,000, not elitist at all; five families, or 23% of the total, earned between \$40,000 and \$60,000; two families, or 9% of the total, earned between \$60,000 and \$80,000; four families, or 18%, earned between \$80,000 and \$100,000; and three families earned more than \$100,000.

I believe my survey, even though it's a small sample, is fairly representative of the majority of the supporters of independent schools. These families include tradespeople, service workers, educators, salespeople, management, health care workers and factory workers. Some of these families depend on a single wage-earner; others have a double income. Most of these families are hard-working people who make many sacrifices in order to afford their choice of education. Most of these families drive an older car. Most of these families cannot afford to set aside money into an RRSP. For most of these families, a family vacation is a camping vacation, with tents and trailers. They stretch their dollars in order to afford their choice of education. And the irony is that all of these families pay education taxes to their local municipality to financially support a school system that they receive no direct benefit from.

The proposed tax credit is not money in the bank for independent schools; it's a recognition that not all parents are comfortable with the choice of public education. It is a recognition that these parents have the right to have some of their tax dollars returned to them so they can afford the tuition required by an independent educational system. This is a choice every parent has a constitutional right to make. It is time to end the discrimination. Approving this tax credit will put a little back into the pockets of our parents who, as property owners, pay public school taxes on top of their own children's tuition

fees. This proposed option is a responsible way of reducing this unfair and unjust tax burden.

As a former student of both an independent elementary school and a public high school, I have had first-hand experience with both systems, albeit a number of years ago. My parents believed strongly in Christian values, as I do, and they were concerned about maintaining a strong harmony between what was taught in the home, the school and the church. Despite severe economic hardships, as my parents had both come to Canada from Europe with next to nothing, they still chose to send my siblings and me to an independent Christian school. We formed many friendships in those early days that we still maintain today. We still care and help each other in time of need.

When I finished elementary school, I went to a public high school. I recall one comment that I received from my homeroom teacher in grade 9 or 10, and that was that he could always tell which of his students came from an independent Christian school. As a group, they always seemed to be set aside from the rest of the students and seemed to be more academically advanced than a lot of the other students. That comment has stuck with me through all these years.

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The school that my children attend, John Knox Christian School in Woodstock, strives for excellence. The teachers are all certified. They sincerely care for and love their students. The teachers are always available for conversations with the parents. The teachers' home telephone numbers are published. The teachers attend the membership meetings. The teachers participate in the fundraising events of the school. The teachers are a vital part of the school and church community, giving more than they are taking.

They only earn 80% of what a public school teacher does, but they don't complain because they believe that this is their calling. Many of these same teachers have children at John Knox Christian School and pay the same tuition that any other parent would.

The students at John Knox bring a diversity of abilities and disabilities to the classroom. John Knox is now blessed with a resource centre for students requiring extra help, plus we have recently started an enrichment program to further challenge some of the students. These additional programs are paid for by the parents through extra tuition fees.

The students at John Knox are members of the community at large. They participate in intramural sports. They participate in the Rotary music festival. They participate in the fine arts festival. They are taught that they are part of the local community and the broader community.

As a director of two independent school boards, I have first-hand knowledge of the running of the schools. Our principals make a monthly report to the board of directors. We hear about the blessings they receive and the challenges that they face. We hear how the individual teachers are doing, any concerns about some of the stu-

dents and the successes that the teachers and the students have experienced.

As directors, we are ultimately responsible for the finances of the school. Discussion about government funding, or the lack thereof, has happened around the boardroom table for many years prior to me serving on this board. It's frustrating for me personally when I know that most of the western world practices some degree of education choice and funding. England, France, Germany, the Netherlands and Australia are just a few countries where there is educational choice and funding. In addition, 37 American states and five Canadian provinces provide some level of funding for educational choice. This shows that there is widespread acknowledgement of the positive value of school choice.

Canada is a vital member of the United Nations. The late Prime Minister Lester B. Pearson worked hard at establishing Canada's image and role in that international organization. It is therefore sad to hear that United Nations Human Rights Commission ruled in 1999 that Canada, ie Ontario, is in violation of the covenant on civil and political rights.

Ontario is a province which prides itself on being tolerant and multicultural, yet it continues to discriminate against independent schools. Ontario provides tax-based funds for the Roman Catholic school system, but ignores all other faith-based education systems. The United Nations recognizes this as a form of injustice.

In conclusion, I want to say that the proposed tax credit is the right thing for Ontario and it is fair for all citizens of Ontario. The proposed tax credit will assist in making independent education more affordable for all those who desire it. This is an issue of justice which cannot be ignored.

Supporting parents who choose independent schools for their children will not negatively impact our public school system. Yes, our public school system needs to be improved, but so does our recognition of freedom in education choice. This is not an either/or situation. We did not have to pick one at the expense of the other. We can do both things at the same time and do them well. The education of my children is just as important as the education of my neighbour's children. My constitutional rights are just as important as my neighbour's rights.

Let us not act out of fear but out of the confidence that choice in education will stimulate all of us as citizens of Ontario to greater heights. I ask you to support this initiative and to finally undo the injustice that has existed in our province for so many years.

The Chair: We have one minute per caucus. I'll start with the official opposition.

Mr McGuinty: Thank you, sir, for your presentation. I want to take advantage of your expertise as an accountant.

The government tells us that it's projected the overall cost of this voucher, once fully implemented, will be \$300 million. I believe it will be somewhere in the neighbourhood of \$500 million, but they based that projection on the premise that this voucher will not have any kind of

incentive effect on people. Have you ever heard of a tax credit not acting as an incentive?

Mr Dileman: Yes, and I believe in this situation, from my understanding of the way this tax credit will work, it will most likely be a refund on your tax return at the end of the year, so that's really not going to help a parent who has to give either monthly or weekly tuition payments. A lump sum payment at the end of the year—we all know what happened to the \$200 credit that Mike Harris gave us last year. Most people just spent it, and that's probably the same thing that's going to happen here. People will have a lump sum amount, and they can choose to spend that how they want, but this may in fact help them to pay for the following year's tuition, and that's an idea that has been bandied about. I think that would be a great—

Mr McGuinty: You don't believe it will lead to growth in enrolment, then?

The Chair: Mr McGuinty, we've run out of time. I have to go to Mr Marchese.

Mr Marchese: Thank you, Bob, for your presentation. I want to say quickly that the elitist schools, in the way that I think you mean them, are the private non-denominational schools like Upper Canada College in Toronto. They're elite in the sense that they have money. I think that's what you mean by "elite."

Mr Dileman: Yes.

Mr Marchese: They're funding them, too. Do you agree with that?

Mr Dileman: That's not something I want to talk about. I'm here to speak as an accountant who has experience with a lot of independent school supporters, and I believe it's time that they got some money.

The Chair: The government side?

Mr Hardeman: Thank you, Mr Dileman, for the presentation. As a quick comment on Mr Marchese's comment about the cap, in the proposal there is a cap of maximum tuition that would deal with higher-cost tuition.

But I really wanted to talk quickly about accountability. We've heard a fair amount during the public meetings about the accountability requirement, as there are public dollars—be it, though, to the parents—going into the system, and the requirement that the system would be held accountable. Do you have any problem in suggesting, or would the school that you represent have any problem meeting the same type of accountabilities that are in the public system and that you've heard the presenters talk about in the hearings?

Mr Dileman: We would welcome it.

Mr Marchese: What kind of accountability?

Mr Dileman: The same accountability that all the other schools have, the public schools.

The Chair: I must bring it to an end. We've run out of time. On behalf of the committee, thank you very much for your presentation.

DAVID BLOCKER

The Chair: Our next presenter is David Blocker. I would ask the presenter to come forward, please. If you could state your name for the record. On behalf of the committee, welcome. You have 20 minutes for the presentation.

The witness addressed the audience.

The Chair: This committee is adjourned for the next 20 minutes.

The committee recessed from 1458 to 1518.

CAROL SPEELMAN, HENRY KOOY

The Chair: I would ask the next presenter, Carol Speelman, to please come forward and state your name for the record. On behalf of the committee, welcome. You have 20 minutes for your presentation.

Ms Carol Speelman: Good afternoon, ladies and gentlemen. First of all, let me begin by thanking you for this opportunity to speak to you at this hearing. My name is Carol Speelman and I live in Strathroy with my husband, Peter. I would like to go back just a few years and bring you to the years of my childhood.

I am one of six children of immigrant parents. My parents came to Canada from Europe in the early 1950s. Already then many parents made a choice to send their children to independent schools. They made this decision because of the school's mission and it fitted what they as a family believed. You may ask, "Was the public school not good enough?" It simply comes down to this: public schools are like everything else in society. They cannot be everything to everybody. So my brothers and sisters and I went to the school of my parents' choosing, one that reflected the beliefs, values and traditions of our home.

Contrary to what the public is being led to believe, my parents or any of the others at that time were not wealthy by any means. My father worked a day job as well as an evening job so that we could attend our school of choice. Many evenings I spent cleaning offices with my father so that I could attend the local Christian school. Much was sacrificed, but they were confident that they had made the right choice. Today the story hasn't changed much. The vast majority of students who attend independent schools come from hard-working, lower- and middle-class families. In many cases, mothers have entered the workforce to pay for the tuition. Obviously, these are not families of means but are honest, hard-working citizens who also continue to pay taxes toward the public education system year after year.

I commend the Progressive Conservative Party for making education accessible to all children, regardless of religion, and in doing so, allowing parents to choose a school that best fits how they wish to have their children educated. I know for a fact that Strathroy Community Christian School and London District Christian Secondary School, and I'm sure all the other independent schools, prepare our children for a life of respectful and

participatory citizenship. Both of these schools, as well as others, conduct curriculum development, participate in standardized testing and provide a solid curriculum that meets all government standards.

Much of the concern we've heard today was about the tests that our students haven't been involved in. Let me tell you that the grade 9 math test cost \$45 per student. That would equal \$5,000 for the students at London District Christian Secondary School, money that our parents and our school did not have. The grade 3 and grade 6 testing cost our grade schools money. This was money our schools did not have. We don't have statistics on how our children did in those tests because we couldn't do them, because we didn't have the money. As far as meeting government standards, we have voluntarily participated in the Canada test of basic skills. From these tests, our students are 22% to 25% above the national average.

The teachers in these schools are qualified with an Ontario teacher's certificate or are graduates of a legitimate university teacher education program. Are they accountable? Yes, they are. Not only are they accountable to government standards, as I said earlier, but they are accountable to me, the parent and, believe me, my standards are high. I know this because my daughters are graduates of this system and my son currently attends London District Christian Secondary School.

My children, as well as all students, deserve the support of their government, and we thank Mr Harris, Mr Flaherty, Ms Ecker and the others for recognizing the value of our children's education. Having said that, I wish to let this committee know that I also support our government's commitment to maintaining a strong public system.

Parental choice is a good thing. Choice encourages parental involvement. Parents such as myself are heavily involved in our children's education. We are volunteers in the classroom, coaches for school teams and chauffeurs for class trips. We sit on committees, school boards and finance committees. You've heard that already in many of the presentations. As a result of school choice, all schools see improvement in student achievement and parental satisfaction.

Mr Hampton makes an issue of our schools not being open to students with physical and mental challenges. Mr Hampton knows full well that we have only just received funding from the Ministry of Health and would welcome any student so challenged, provided that we can meet their needs. No school—public, private or independent—could possibly accept a student if it could not meet their needs. Several years ago, when I sat on the board of Strathroy Community Christian School, a parent asked us to consider accepting her physically challenged child. This required a full-time teacher's assistant and facilities to accommodate her special needs. Without the proper health care funding, we could not be of service to this family. As a school we were being discriminated against and, in turn, that became a barrier for a family that wished to have their child in a faith-based school, the

same school her siblings attended. Once again I bring forward the point that it all comes down to choice.

The proposed tax credit will provide much-needed relief for parents. It is the right thing for this government to do. Reports say that this will (1) weaken public education, and (2) take monies from the public system.

To address the first myth that the credit will weaken the public system, there is no evidence that large numbers of students will transfer out of the public system. In Alberta and British Columbia, over 90% of the families chose to stay in the public system in spite of government funding for a variety of alternatives. The majority of parents are not trying to get away from something; they are seeking a certain framework for the education of their children. The issue is not of us not wanting your children going to school with our children. Believe me, that's not the case. Our children also play soccer with your children. Our children also play baseball with your children. It's the same reason as some parents choosing a girls-only school or a girls-only program. Don't they like boys? Why do some parents choose French immersion or an arts-based school? Because they don't want their kids with other kids? No. The reason is that the education I choose is the best fit possible for my children. Some get a good fit and it's publicly funded. My choice, which is equivalent to a variety offered publicly, is available to me but with a substantial financial penalty.

The tax credit addresses this inequality. It does not promote a mass exodus from the public system. In Ontario, we have a precedent whereby the publicly funded system did not decline into chaos when the government granted Catholic schools full funding years ago. In fact, the many and valued contributions made by graduates of Ontario's Roman Catholic system make a lie of the statement that suggests a single system is the only means to society's well-being. In all jurisdictions where governments have supported school choice, they have retained their commitment to quality public education, and I too support that.

The second myth is that we are taking money from the public system. Parents first pay education taxes that go to the public system, then they pay tuition for the school of their choice and then they will receive the proposed tax credit. This new tax credit amounts to 0.5% of the province's annual \$60-billion budget—a sensible investment in improving student achievement, wouldn't you say? No money has been taken from public education to finance this initiative.

In my job I meet a lot of people. They are average, hard-working citizens. Even they recognize the injustice of this situation. It is an enormous irony that the educational establishment preaches tolerance and inclusion but practises self-interest and exclusion.

I am excited to see that we have a government brave enough to stand up for what is right and honourable. Mr McGuinty has been reported as saying that this issue is the fight of his life. To that I say, Mr McGuinty, this issue has been my life. It has been my parents' life, my friends' life, my child's life. This issue has been part of

all our lives for over 30 years. If there is anyone who knows what this fight is about, it is the families who have been marginalized for choosing how they wish to have their children educated.

I'm up for this fight and I will work tirelessly to ensure that we retain a PC majority in the next election. I applaud Mr Harris and his party for their courage in bringing about justice through choice, for allowing parents to choose the school their children attend, for allowing equal opportunity for all children and for recognizing that public education is only one of the many choices that parents may consider. Thank you for your time and consideration in this matter.

I would like to introduce to you Mr Henry Kooy. He's the principal at London District Christian Secondary School and he would like to address some of the concerns that were raised earlier.

1530

Mr Henry Kooy: Thank you for an opportunity to address this hearing. You have a copy of my presentation. I'm just going to highlight certain parts of it.

Bill 45 has generated considerable discussion. Reactions indicate a number of fears about the impact of Bill 45 on the publicly funded education system. Reactions also indicate that there is a lot of misinformation about Ontario's independently funded schools. As a result, there's been a lot of unfair characterization of independent schools, some of which we've heard today. I just want to address some of these fears.

We live in a society which proclaims the sovereignty of the individual. I find it somewhat ironic that in an age in which we emblazon many items with a "no fear" logo, there seems to be so much fear about the Ontario government's proposed equity in education tax credit. President Roosevelt, back on January 20, 1933, told the American public they had nothing to fear but fear itself. I see some parallels today.

I want to examine a few of those fears: first of all, that Bill 45 will harm the public education system. People need to look at the experiences of Canada's other provinces. Faith-based schools such as London District Christian Secondary School receive public funds in Manitoba, Saskatchewan, Alberta and British Columbia, and this has not resulted in any mass exodus of students from the public school system. Earlier this afternoon we heard that 15% figure of people leaving. Even in the best-funded system in Alberta, it's 5%. In reality, there's nothing to fear. We already have 5% of the students.

There are fears that independent schools oppose public schools. People need to understand that independently funded schools believe there's a need for a strong public school system. We're genuinely happy that the government's proposed budget includes a \$360-million increase in spending for public education. I wish they would return to former funding levels at \$2 billion that went missing, that it gets back there.

We believe the government has a responsibility to adequately fund the public school system. I find it extremely unfortunate that Bill 45 comes at a time when

there's so much dissatisfaction about the levels of funding for public and separate schools. Today I thought I was listening to a hearing on levels of funding, not Bill 45. We are not out to undermine or threaten the public school system. We shouldn't be pitted against it. This is one of Canada's wealthiest provinces. Surely there's nothing to fear. There's got to be enough money in this province for all education systems to be well funded and to be championed.

We hear that Bill 45 favours and benefits the rich. Well, of the 743 independent schools in Ontario, approximately 35 or 40 could be categorized as being elitist. The vast majority of our parents are middle-income. We send our children to non-profit, independent schools to have our children taught from a faith perspective.

We hear that Bill 45 will create a two-tier system of education. Bill 45 will hopefully help to level the playing field rather than create a two-tier system. For a large majority of independent schools, public schools represent the haves while we represent the have-nots. Even with the tax credits, parents will still need to pay a significant amount of tuition. Have no fear, the public system will continue to have more financial resources at their disposal than independent schools.

Today we heard much about public accountability. My school is very accountable. We're accountable to the Ministry of Education in order to grant credits leading to the Ontario secondary school diploma. We're subject to a regular and rigorous inspection of our academic program and our operation, and we pay a fee of several hundred dollars for that service. I see close scrutiny. We have education officers come into our classrooms. They want to see the course of study. They want to see the teacher's plan book. They want to see the marks that are given to the students. They want to see the textbooks that we use. They want to go through our files to make sure we're doing the right thing with our OSRs. We get very close scrutiny. When I talk to my colleagues in public education, they laugh at the fact that we're subjected to this. Our scrutiny is much closer than that of public education.

We're accountable to the EQAO. Our grade 10 students are required to write the grade 10 reading and writing tests administered by that organization. Our results are open to the public. We've got nothing to hide. As was mentioned earlier, students in our elementary panel in grades 3 and 6 would gladly write the tests that are asked for in math and English, but there's a fee involved. We're very accountable to our board of trustees and the entire membership of London District Christian Secondary School. We're accountable to our parents, who pay significant tuition fees in addition to paying taxes and who participate in fundraising initiatives. They want their children to have a solid academic education for acceptance at post-secondary institutions and future employment. Come to one of our membership meetings and look at how closely my spending budget is scrutinized. I'm very accountable to our membership.

We're accountable to the general public. We get judged every day by our neighbours. We get judged by teachers in the public system when our students transfer to their institution. We're accountable to the universities and colleges that receive our students. We're very accountable.

The other thing is whether or not we have the right to teacher-test and so on. The majority of our teachers are members of the Ontario College of Teachers, because they do have their OTCs and they do pay the \$90 fee. If teacher testing goes through in this province, our teachers will write those tests as well. We are accountable.

We hear the fear that independent schools take the best students away from the public system. Independent schools such as ours do have students with a range of abilities. We need to have a resource program. We've increased our resource teaching position to a full-time one for next year and we're designating a separate classroom for resource. In our senior division we don't just offer the university stream courses; we offer the college stream and the workplace stream as well, because we have to meet the needs of all our students. As a school we seek to be as inclusive as possible with the resources we have, not exclusive.

What follows is a bit of a history on our school and its operation, but I'll just skip over that.

Parents in our school system desire a faith-based education for their children. They have felt compelled to establish faith-based independent schools. These parents feel strongly about the issues of parental choice. They reject a one-size-fits-all approach to education. They believe strongly that the provincial government should financially support the education of all students, regardless of the school system in which the student is enrolled. As Carol mentioned earlier, this has been a matter of discussion for more than 40 years. This isn't just something that was cooked up in the last three months.

The government's recent announcement about tax credits was welcome news and was celebrated by supporters of independent schools. Through Bill 45, the provincial government is at long last addressing the need for equity in education. Finally Ontario is getting in step with much of the rest of Canada. We applaud and thank the Progressive Conservative government of Ontario for taking this initiative.

The Chair: With that, we've run out of time. There is no time for questions. On behalf of the committee, thank you very much for your presentation.

1540

ONTARIO CHRISTIAN SCHOOL ADMINISTRATORS ASSOCIATION

The Chair: Our next presentation is from the Ontario Christian School Administrators Association. I would ask the presenter to come forward, please. On behalf of the committee, welcome.

Mr Henry Wiersema: To the members of the committee, thank you for this opportunity.

Let me paint a picture for you that I have experienced over and over for the last 30 years that I have been involved in Christian education. A mother and father phone and ask for a meeting. They want to discuss their children's education. They are Christians and believe in Jesus Christ as their personal saviour but carry that belief one step further and believe that He is Lord over all, that is, creation, their family, the work they do; in short, their rising up and their going down.

They sit at the dinner table discussing their children's education. They would like to have their children attend a school that will reinforce the biblical values they teach at home. So they come to Strathroy Community Christian School and ask a lot of questions about curriculum, discipline, extracurricular activities, staff etc; in short, what values are being taught at this school? They are very conscientious about where their children should go to school.

They also ask about the cost of education. I explain that the school is operated and funded by parents, grandparents, relatives and friends who believe in the Christian values that are taught at Strathroy Community Christian School. However, I also have to explain to them that their tax dollar does not go to Strathroy Community Christian School and that they need to pay tuition costs out of their own pocket.

That is the way it used to be. This story is history. Now we are in the midst of a change, and I am very thankful that the Progressive Conservative government has recognized that parental choice is very important in a democratic society. The government realizes that it is in the best interests of society for the government to support all students receiving an education that meets the standards for realizing the public good.

This afternoon I speak to you not only as the principal of Strathroy Community Christian School but also as a past parent and future grandparent. I also represent my colleagues of the Ontario Christian School Administrators Association. This is a support organization for principals in Christian schools in Ontario, a number of which are located in southwestern Ontario—approximately 15.

I would just like to inform you about one aspect of this organization which deals with competency and professionalism. One of the stated purposes of our organization is to take a leadership role in Christian education in Ontario. The Ontario Christian School Administrators Association has been a functioning, active member of the educational scene in Ontario since its inception in the 1960s. This organization provides an accountability basis that encourages all principals in our association to maintain high standards of professionalism and competency.

Here are some of these initiatives. Our support of the Ontario Alliance of Christian Schools evaluation program, which is a thorough evaluation of all our schools on a cyclical basis. Another initiative is professional development through regularly held workshops and conventions, which have a high rate of membership at-

tendance. We sponsor regional principal associations that meet for professional development and support; also, a network of organizational committees that oversee the developing work of administrators in Ontario Christian schools. We also have a certificate and diploma program that operates on a near-equivalency basis with similar public certificates to ensure that all of our administrators are qualified to lead schools in this province.

As was mentioned before, it was with great excitement that I received the news of the refundable tax credit proposal announced by the Minister of Finance, Jim Flaherty. This proposal honours the principles of justice in education which we have been advocating, bringing us into the mainstream of educational reform and into the company of the rest of the western world, where educational choice has been a fact for years.

I applaud this initiative for a number of reasons. As the principal of Strathroy Community Christian School, I know that for the majority of the parents who support our school, Christian schooling is not a choice; it's a requirement of their faith, an obligation, a necessity. For Christian parents every aspect of schooling is religious, and it is in schools within the general boundaries of their faith that their children must be taught. The Christian families of our school system believe there is no such thing as a religiously neutral school system and therefore they must send their children to one which reflects their beliefs.

As the principal of Strathroy Community Christian School, as a parent who has had five children go through it and as a grandparent anticipating my grandchildren to go through Strathroy Community Christian School or other Christian schools in the province, I am very familiar with the financial sacrifices made by our parents, as well as the time sacrifices. The great majority of our families are not part of the wealthy private school parents who have been described in the media and by political opponents. I know that in my particular school a quick perusal of the family list would indicate that very few of our parents are independently wealthy and that the vast majority are part of the hard-working majority of the population of Ontario, with diverse occupations including farming, teaching, sales, skilled trades, labourers in industry and building, entrepreneurs and small business owners. These parents recognize the injustice of the current system and are extremely pleased with the refundable tax credit proposal.

As the principal of Strathroy Community Christian School, I witness daily the sacrifice of time of the parents of our schools. For those who fear that there will be a huge number of small private or independent schools beginning because of the tax credit, they need not fear this. We recognize the tremendous time sacrifice made by our parents and our supporters to keep these schools running smoothly. Parents in our Christian school are involved in many areas of the school, from overseeing its integrity to its mission and vision to the general repair and maintenance of the buildings. The schools we administrate benefit from high levels of parental involve-

ment—parents who realize that it is not a small task or undertaking to establish and maintain a school. This factor alone will prohibit large numbers of small private schools from beginning.

The media, political opponents and the public school teachers' groups have tried to make the case that this initiative will be to the detriment of the public school system. Again, as you've heard mentioned before, there is no evidence for this at all. In areas where funding has been extended to private and independent schools, there was not a major exodus out of the public school system. In fact in Alberta, where the most generous funding initiatives are in place, over 90% of parents still support the public schools.

Much of the western world practises some degree of educational choice. From the full voucher system found in Scandinavia, to government-funded systems of choice in the countries of western Europe, to New Zealand, to the 37 American states with varying levels of choice legislation, to the five major provinces in Canada which provide levels of funding for educational choice, there is widespread acknowledgement of the positive value of school choice.

In a recent study by the Fraser Institute, the author stated, "Evidence suggests that if the Canadian education system supported greater parental choice, student achievement would improve. It certainly has done elsewhere."

As the principal of Strathroy Community Christian School, I have seen our students graduate to become productive citizens of the high schools they attend and ultimately productive citizens of this province. Our students leave our school having received an education which allows them to be successful in the endeavors of life that is before them. Our students receive a quality education in our schools, an education which strives to adhere to the general principles of the Ontario Ministry of Education and prepares them well for the rigours of high school, college, university and the workplace.

As the principal of Strathroy Community Christian School, I am privileged to work with a staff that is well trained and qualified for the work of teaching in Ontario today. The staff at my school continue to work sacrificially, often giving well beyond the call of duty, to offer a spectrum of activities including intramural activities, extracurricular activities and other programs to benefit our students.

As the principal of Strathroy Community Christian School, I might add that I have a very cordial working relationship with my colleagues in the public and separate schools in Strathroy. I am very supportive of all initiatives to provide the public and separate schools in Ontario with adequate and appropriate funding. I am just as concerned that all students in Ontario receive the best education possible whether in the public system, the separate system or the independent system. I applaud the increase in funding proposed in the new budget.

I also acknowledge at the same time the need for all schools to be fiscally responsible. As an independent

Christian school, our constituency works closely with board and committees, who closely monitor the financial actions of our schools and hold us highly accountable. I don't need to go through all that again. You just heard that in the last presentation.

In summary, I speak for my colleagues and myself. Students who graduate from our schools do well in the schools and careers they encounter in the next steps of life's journey. They go on to be responsible and productive citizens and taxpayers of this province.

Our schools are fiscally responsible and highly accountable structures, with qualified staff and supportive communities.

It has always been our intent, and will continue to be our intent, to advocate for a strong public system. Independent school supporters want public education to be strong and dynamic because all children, no matter where they are educated, are the future of this province.

I remind you again that Alberta, with the greatest range of educational choice and the most generous funding model for independent schools, still has over 90% of their students attending public schools, which, by the way, consistently rank at the top in academic achievement. There is strong and increasing evidence that educational choice improves education for all students.

Finally, our parents are exercising their obligation and rights as citizens of this province to choose the type of education they require for their children. The government's support of this is just and right. This is in accordance with article 26 of the United Nations human rights declaration on education and the practices of much of the western world.

Members of this hearing, I believe that the province of Ontario and the educational system in particular will be enhanced by the proposal now before the Legislature of Ontario. It is time to stop thinking about public education as the only entity in the educational landscape. As the present government has indicated with this legislation, we are dealing with students, not systems. The proposal to extend refundable tax credits to parents of independent and private schools is just and right and therefore must be passed by this government.

I thank you for this opportunity to speak to you and I wish you a tremendous amount of wisdom and unity as you seek to serve the needs of all parents, but more importantly the children of this great province.

1550

The Chair: Thank you very much. We have two minutes per caucus, and I'll start with the official opposition.

Mr McGuinty: Thank you very much, sir, for your presentation. I just have a very simple question for you with a bit of a preamble.

The argument has been historically that there is a fairness issue here which must be addressed. The fairness issue has everything to do with one denomination alone receiving funding publicly and none of the others being able to avail themselves of any assistance.

Would you object, then, if the government were to amend its legislation so that it was only available to parents with children in denominational schools?

Mr Wiersema: Sure, I would object to that. I think what the government is doing by providing choice for parents—what would happen is, you'd fill out your tax form and you would put on there, "My kid goes to Stratford Community Christian School." The government has a list of schools that are accountable to the Ministry of Education or wherever they're going to go to be, and then they would receive their credit.

So whether that's a denominational school, whether that's a faith-based school, whether that's a Montessori school, a Lutheran school, whether that's Upper Canada College, they should all be in the same camp.

Mr McGuinty: Would you hold the same opinion, then, for a for-profit school as well?

Mr Wiersema: You see, when you talk about profit schools, are you talking about education? What is the purpose of a profit school? I ask you that. I think, Mr McGuinty, if you want to ask me for an opinion—

Mr McGuinty: It's not a trick.

Mr Wiersema:—about profit schools, profit schools are a mistake. I don't think people in education should be in it for profit. We are in it because we want to serve kids, that's why. That's why we do that.

Mr McGuinty: Just so I understand, then, you would not be in favour of a tax credit for a profit-making educational venture?

Mr Wiersema: Right.

Mr McGuinty: Thank you.

Mr Marchese: Just to understand this: the people going to Upper Canada—just one example of a school; there are many—their tuition is \$16,000, and if they have a bed there it's \$28,000. You're saying, "God bless, if that's the choice they make."

Mr Wiersema: That's right.

Mr Marchese: That's OK, and the government should give them a tax credit because, why not?

Mr Wiersema: Mr Marchese, we have millionaires who have kids in the public school system, but all they do is pay the same taxes that I do.

Mr Marchese: OK, so you're saying—

Mr Wiersema: Let me just—I have no problem with—

Mr Marchese: I have another question for you.

Mr Wiersema: All right. Go on and ask the other question.

Mr Marchese: One of the previous speakers said he was surprised, for a society that proclaims the sovereignty of individuals, that some of us would oppose it. Do you believe in the sovereignty of the individual?

Mr Wiersema: No. I believe in the sovereignty of God. Different story.

Mr Marchese: I was a bit surprised by his comment because I thought he supports such a view. You see, social democrats, which is us, NDP, support the sovereignty of society over individualism. Individualism is a concept invented by Americans, those nice free trade

kinds of guys. The Alliance supports the sovereignty of the individuals, and for me that's not part of a choice that I want.

I think public schools support societal needs, by and large, and probably we don't always succeed as we might want, but that's the place to do it. That's where society is protected, you see? That's where I want to put—

Mr Wiersema: Mr Marchese, how would you answer the parent who comes to your doorstep and wants a faith-based education? What would you say to them?

Mr Marchese: My answer? God bless, you can have it. You go—

Mr Wiersema: Where? Where?

Mr Marchese: Wherever you want.

The Chair: Mr Marchese, your time has run out. I have Mr Wood.

Mr Bob Wood (London West): I wonder, sir, if you could tell us what your schools teach your students about respect and tolerance for others.

Mr Wiersema: Everything. We have an excellent rapport among the students in terms of respect for one another, in terms of tolerance. It's part of what we teach them all the time.

Mr Mazzilli: Sir, I just want to take away this myth that the opposition plays with the school tax credit. A maximum tuition of \$7,000, from what I've seen from the literature handed to me, covers most religious schools. You can see how the Liberals are trying to weasel their way out of this, because for Upper Canada College and many of the others, this tax credit is insignificant or useless to them when tuition is \$20,000. But now they're trying to find a way to bail out. At least Mr Marchese has given us his point, that he wants publicly funded education; they're trying to find an out from this.

The Chair: Thank you very much, Mr Mazzilli. We have run out of time. On behalf of the committee, thank you very much for your presentation this afternoon.

NICOLE NELSON

The Chair: Our next presentation is from Nicole Nelson. I would ask the presenter to please come forward and state your name for the record. On behalf of the committee, welcome. You have 20 minutes for your presentation.

Ms Nicole Nelson: My name is Nicole Nelson and I'll be three pages brief here—because you guys look like you've had a long day—but 10 pages passionate, so everybody prepare. It will give you more time to get to questions. You seem to be more animated then.

Mr Joseph Spina (Brampton Centre): Two more days of this.

Interjections.

Ms Nelson: There's passion for democracy right there for you.

When I was first notified of my opportunity to speak—a mere 24 hours ago, I might add, but that seems to be ample in Harris time—I was asked if I was

speaking on behalf of an organization. But, rather than speak on behalf of any of the many organizations that I am a part of, I choose to come today as an individual; more specifically, an individual in the context of a multicultural society.

While public schools in their very nature are open to anyone, private schools often cater to a more exclusive clientele. Some deal only with gifted students; others deal with those with learning disabilities. Some instruct students who have a particular religious or cultural background. While formerly this type of education was more the exception than the rule, the government seems to have shifted its mandate from merely coexisting with private schools to endorsing them. Bill 45 offers up private schooling as a viable alternative to public schools, but at what cost?

If an increasing number of parents, finding that funding cuts have eroded the special religious or support services that their children need, withdraw to private schooling, what effect will this have on the province? Keeping in mind the focused nature of many private schools, what implication will this new style of education have in the context of a multicultural society?

Public schools can provide the opportunity for cross-cultural learning, but private schools can limit the extent to which a student has a truly diverse and multicultural experience. Public education teaches much more than just mathematics and reading skills. Public schools provide social skills and a forum for becoming familiar with and interacting with those who lead different lifestyles and come from different cultures. It educates the future generation of Canada in the skills of tolerance, viewing with diversity and acceptance. As young Canadians grow into their teenage years and into an increasing awareness of self, public education provides a forum for critical thinkers to dialogue in an open environment.

Bill 45, however, encourages Ontarians to parcel off their unique belief systems into separate schools where they can grow into mutually exclusive identities. Psychological evidence shows that the creation of closed social systems can lead to exclusionary ideologies and labelling "the other." Moreover, as these students leave the private schooling system and encounter diversity, as they inevitably will in a Canadian society, they will lack the resources to cope with conflicting opinions and foreign value systems.

Educators are entrusted with a unique and powerful role in society. For many young Canadians, they are the implicitly trusted source of information that forms the foundation of their knowledge base. Researchers have acknowledged that the early years are fundamental in forming opinions and thought patterns and that these thought patterns are harder to change with age. For these reasons, it's essential that the educational experience provide the best information and all the information to our children at their crucial developmental times.

1600

We rely on the media to provide accurate, unbiased and complete information such that we can make

informed decisions. If we uphold this type of commitment to information as one of the basic tenets of journalistic integrity, how much more so should we instill these same values into our first formal source of information, the educational system? Private schools, however, are not bound to these same mandates. They have no specified curriculum, they don't have mandated teacher testing, they accept who they want and they often teach only one world view to their students.

My mother once taught at a private Christian school, and they were often faced with what they called the "bubble debate." Some thought that the bubble might burst when the students left the sheltered environment of the Christian schools. Others used this metaphor: that the young Christians were like saplings that were being sheltered until they grew strong enough to weather the winds of adversity. In either case, we must ask: is an exclusive education in one world view the best way to protect a culture and maintain multiculturalism in the framework of a Canadian society? Sheltering young people for the express purpose of making them unbending in their views smacks more of an education in intolerance than in multiculturalism.

Consider the case of a health club that wants to have an exclusively white clientele or an employer who will hire only Catholics. We would never dream of supporting these initiatives in today's society, yet we give the unilateral power to private schools to choose and refuse their clientele on the grounds of sex, race, religion, sexual orientation or any other ground they deem appropriate. Consider the case of a student whose education and, presumably, home life has given him one sole definition of normal sexuality. Could it be that this student, when he meets a gay man for the first time in university, will be ill-equipped to deal with this situation?

Furthermore, in the context of an increasingly global society, private education may have implications for the very core of Canadian identity itself. Consider the case of a private school that has the ability to set its own curriculum. A Jewish school may choose to teach Hebrew as a second language instead of focusing on French. Some Canadian history courses might be replaced with the history of Israel or of the Jewish people. It is not the mandate of cultural schools to provide a foundation in Canadian culture; indeed, their mandate is just the opposite, to maintain a cultural heritage that is different than a Canadian heritage.

Heritage and foreign cultures are celebrated by Canadian society, and I have no intention of suggesting that cultural education is not valuable, both the to the individual and to society as a whole. A private, unregulated system, however, allows for an education in an environment that teaches one culture to the exclusion of others, perhaps even to the exclusion of Canadian culture.

Public education builds the collective consciousness of every Canadian. It provides an awareness of both of Canada's official languages and ensures a shared knowledge of Canadian history that promotes the unity of society. It is this shared inheritance that provides a com-

mon thread among all Canadians, and the awareness and celebration of different cultures within the school system promotes a multicultural society. Private schools lack the diversity for this experience, which is integral to the development of Canadian youth.

As a society, there are values that we must share in common. Every individual willingly relinquishes a small part of their personal freedom to participate in a society, a collective. In the diverse reality that is Canadian society, tolerance and respect for diversity are two crucial components of this value system. Without these collective ideals, we would be merely separate cultures sharing the same piece of land.

We've all heard the arguments about the dangers of a two-tiered system that discriminates based on socio-economic status. In the face of a government that believes fundamentally that services are best delivered privately, I think this is a valid and justifiable concern. The division of services in this instance, however, can occur not solely along socio-economic lines, but also along religious, racial, sexual and ethnic fault lines that persist in our society.

Bill 45 is much more than a baby step toward the privatization of our education system or the creation of two-tiered services. It will create division above and beyond those of economic inequity. It will fragment our society as it has fragmented our provincial house. It will reopen the sores of religious and ethnic tension that Canada has spent many dollars and decades trying to heal. It will teach our young Canadians that opting out of the Canadian common good is acceptable and even profitable under the Harris government.

A private schooling system will lead to setbacks for the women's movement, for gay rights, for civil rights and for cultural sensitivity. As a woman, as an advocate for gay rights and as a student who relishes opinions, diversity and lifelong learning, I cannot support Bill 45.

To conclude, I'd like to leave you with a parting thought. Consider the role of diversity within the provincial Parliament. The parliamentary system is built upon these same basic tenets: the will of the majority, tempered with a strong respect for the opinion of the minority.

Although my submission is just one of many that you'll receive in the next few days, I hope that my opinion, joined with all the others, will work toward the creation of better policies that benefit us all. In the same way we must provide a forum for the exchange of cultural and religious beliefs within our schooling system, acceptance and respect for diversity cannot be restored with an infusion of funds or touched up in time for elections. It must be firmly rooted within the fabric of our society. Private schooling is not the answer within the context of a multicultural society, and I urge the provincial government to remove the tax clause for private schooling from Bill 45.

The Chair: Thank you very much. We have three minutes per caucus.

Mr Marchese: Thank you, Nicole, for an intelligent, reflective and philosophical presentation. You've heard a number of other deputants to whom I've asked this question, where I said, "Would you support the non-denominational schools, the very private ones?" By the way, the private schools like Upper Canada are there because it's class-based. These people have got bucks and they want to shut themselves out from everybody else. That's partly why they're there. But these guys are saying, "That's OK. If that's the choice they make, they too can have government support." What do you think?

Ms Nelson: I won't comment as to the truth of that statement, because I can't say that I've had the experience of attending an Upper Canada College school for myself. However, as you mentioned, my argument is much more of a philosophical one. On principle, I disagree with private schooling because of the type of education that it allows for and, yes, the type of education that our government allows to occur in private schooling can lead to the creation of elitist, upper-class private schools like the one you mentioned.

Mr Marchese: That applies to that, of course. But the other faith-based Christian groups are saying, "Look, give us our choice. We want a choice to be able to take our students wherever we want." I'm not sure whether it was two previous speakers ago who was arguing for the sovereignty of individual choice or individualism. I'm not quite sure because, as you know, I'm not an advocate of that. What would you say to the fundamental right, they say, to have individual choice? They argue it should be a human right to have a choice about—

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Ms Nelson: As I mentioned in my presentation, every individual does willingly sacrifice something to a collective. That's the basis for a collective. We are not countries of one; we are a country. As such, we need to behave as a country, sacrificing some things for the better good of the public. There is certainly a place for religious and cultural education and there is certainly a place for experiences to interact with those with different views, and that is fundamental and necessary for the improvement of Canadian society as a whole, so we don't fragment into countries of one.

Mr Mazzilli: Thank you very much for your presentation—very in-depth and well thought out. But the one thing I do want to point out, ma'am, the Ontario Secondary School Teachers' Federation, in their second page, said, "So far we have succeeded remarkably well in assimilating and integrating people." You would agree with me that you would not be into assimilation of any sort, because of the causes that you have said you are fighting for.

As a future leader, obviously you would support the United Nations, and as a future leader, let me give you the three options the United Nations has given: the first is to offer full funding to all religious schools; second, stop funding the Catholic school system; or third, offer religious education in the public system. Which one of those three choices would you pick if you were the leader

at the time making the decision that the United Nations recommended?

Ms Nelson: I wasn't aware that there would be a multiple choice section to this interview here. But can I say that there are always more than three options.

Mr Mazzilli: So you wouldn't comply with the United Nations?

Ms Nelson: There are always more than three options. Options are defined for the purpose of asking questions like that. I can say that this issue is not a question of Catholic schooling, which is a historical inequity and has its roots in a historical basis. If we were to create a separate schooling system like the Catholic schooling system today, in the context of today's society, it would be much different. There's not the need for it today that there was historically, and yet that remains as a vestige of a system that was necessary in the past.

Mr Mazzilli: Obviously a very difficult decision to make. Again, I respect your opinions, but these are the positions of the day and the government of the day has decisions to make. I respect the United Nations and—

Ms Nelson: Maybe the government of the day should promote free thinking—

Mr Mazzilli: Let me just—

Ms Nelson: —some exchange of ideas, some generation of new ideas, because, really, isn't that what the education system is all about? We don't sit down in schools and say, "OK, class, today we have three opinions. Pick one." We share them, and from the generation of those opinions, new opinions emerge.

The Chair: Thank you, Mr Mazzilli. We've run out of time.

Mr McGuinty: Thank you very much for your very articulate presentation. Let me say in passing that we've heard from a number of presenters today who could appropriately be called youth, and they have lent me a great deal of comfort in terms of where it is that we're going in the future: people with passion, a sense of commitment, motivated by a powerful sense of idealism. That speaks well to our future.

You have spoken very passionately about the what, and I wonder if you might address the how. This policy represents a dramatic departure from education policy for the province of Ontario. We have been told that when there was an extension of funding for the Catholic schools to take into account grades 11, 12 and 13, as it was then known, there were 68 days of travelling, public committee hearings. We have been granted eight days. I know that supporters of faith-based schools are so close to this that they can taste it, but I believe they also believe in fairness. For that reason, I think we should be taking more time and giving more people an opportunity to express their opinion about this. This was never part of the campaign platform. If you could speak to that.

Ms Nelson: Absolutely. As I mentioned before, I was notified at noon yesterday that I would be speaking. I worked at 8 o'clock this morning and I got off work at 4:30 last night. You do the math. I recognize that this presentation, albeit not the best I could have created, is

the best I could come up with. I know that had I had more time, I would have been able to create something much better. One would think that the same logic would apply to the Harris government in the creation of policy. Good policies take years to develop, years of consultation. As I said before, it's the foundation of the democratic system: the inclusion and discussion of opposing views and ideas. That's a year-long process, it's

not a three-week process, and that's something Mike Harris has not caught on to yet.

The Chair: With that, we've run out of time. On behalf of the committee, thank you very much for your presentation.

This committee is adjourned until 10 o'clock in Sudbury at the Holiday Inn.

The committee adjourned at 1615.

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Deuxième session, 37^e législature

Official Report of Debates (Hansard)

Monday 18 June 2001

Journal des débats (Hansard)

Lundi 18 juin 2001

Standing committee on finance and economic affairs

Responsible Choices for Growth
and Accountability Act
(2001 Budget), 2001

Comité permanent des finances et des affaires économiques

Loi de 2001
sur des choix réfléchis
favorisant la croissance
et la responsabilisation
(budget de 2001)



Chair: Marcel Beaubien
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LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

STANDING COMMITTEE ON
FINANCE AND ECONOMIC AFFAIRSCOMITÉ PERMANENT DES FINANCES
ET DES AFFAIRES ÉCONOMIQUES

Monday 18 June 2001

Lundi 18 juin 2001

The committee met at 1000 in the Holiday Inn, Sudbury.

RESPONSIBLE CHOICES FOR GROWTH
AND ACCOUNTABILITY ACT
(2001 BUDGET), 2001LOI DE 2001
SUR DES CHOIX RÉFLÉCHIS
FAVORISANT LA CROISSANCE
ET LA RESPONSABILISATION
(BUDGET DE 2001)

Consideration of Bill 45, An Act to implement measures contained in the 2001 Budget and to amend various statutes / Projet de loi 45, Loi mettant en oeuvre des mesures mentionnées dans le budget de 2001 et modifiant diverses lois.

The Chair (Mr Marcel Beaubien): It's 10 o'clock and I'd like to bring the committee to order. I'd like to welcome everybody. Good morning, everyone. This is the resumption of the hearings on Bill 45, An Act to implement measures contained in the 2001 Budget and to amend various statutes.

CONSEIL SCOLAIRE DU DISTRICT
DU GRAND NORD DE L'ONTARIO

The Chair: Our first presentation this morning is from the Conseil scolaire du district du Grand Nord de l'Ontario. Je voudrais inviter le présentant de se présenter, de donner votre nom pour le record. Au nom du comité, bienvenue. Vous avez 20 minutes pour votre présentation ce matin.

M. Jean-Marc Aubin : Merci, monsieur Beaubien. Je m'appelle Jean-Marc Aubin. Je suis un conseiller scolaire d'un conseil public de langue française. Je me suis porté volontaire comme porte-parole du conseil ce matin.

Welcome to Sudbury. I'm the first person to address you. This is the friendliest town in Ontario, and this will be a friendly presentation; it's meant to improve our lot as Ontarians.

Your text has a translation that I did freehand. It's not an official one, but you can rely on it as far as meaning goes. There are probably a few errors in it. Merci beaucoup.

Je dois vous indiquer que réunir les conseillers scolaires pour discuter de la question que je vais aborder ce matin, ce n'est pas chose facile, étant donné que la géographie de notre conseil s'étend de Sudbury à la frontière du Manitoba. Nous avons des conseillers scolaires de Thunder Bay, de Marathon, de Wawa, de Blind River, de Sault-Ste-Marie, de Sudbury et de Noëlville. Alors, étant donné les contraintes de l'espace de temps, nous avons fait table ronde avec quelques-uns des conseillers scolaires pour inspirer cette présentation.

C'est avec étonnement et consternation que les conseillers scolaires du Conseil scolaire du district du Grand Nord de l'Ontario ont appris l'intention du gouvernement de l'Ontario d'offrir des crédits d'impôt aux parents qui voudront envoyer leurs enfants dans des écoles confessionnelles privées.

La question de l'éducation confessionnelle est certes d'importance, comme en fait foi la recommandation du comité des droits de la personne des Nations Unies dans son rapport sur les soi-disant pratiques discriminatoires de la province de l'Ontario à l'endroit des non catholiques dans le milieu éducationnel. Mais justement pour cette raison, parce que les implications sociales sont profondes, les conseillers scolaires du CSDGNO sont d'avis qu'il importe d'avoir un débat de fond sur cette question et que pour cela, il y a lieu de tenir des audiences publiques complètes, couvrant tout le territoire de la province et selon un horaire qui permettrait à ceux qui veulent se faire entendre suffisamment de temps pour préparer adéquatement leur opinion.

Nous tenons cependant à dire qu'à première vue, ce projet de loi n'est pas fondé sur les valeurs qui, depuis toujours, animent l'intention de l'éducation publique en Ontario. Notre province est une terre d'immigration, accueillant des gens venant des quatre coins de la planète qui arrivent ici avec une culture particulière et, souvent, une religion particulière. Le rôle historique essentiel qu'a joué le système public d'éducation en Ontario a été de joindre les enfants des immigrants dans les mêmes écoles, dans les mêmes salles de classe, permettant à chacun de se familiariser avec des cultures et des religions différentes. Cette tradition de l'éducation publique a permis à chacun de se constituer citoyen de la province et du pays, de développer des valeurs communes, dont le respect et la tolérance, qui se sont érigés en valeurs dominantes.

Le projet de loi du gouvernement Harris va à l'encontre de cet acquis historique en matière d'éducation. Nous pensons que de permettre la création d'écoles confessionnelles, de favoriser leur développement en accordant des crédits d'impôt aux parents de ces enfants, risque d'isoler les communautés religieuses et culturelles les unes des autres et risque de conduire à terme à une plus grande incompréhension des différentes communautés, à un plus grand isolement et éventuellement à une plus grande intolérance les unes envers les autres. Nous pensons que l'harmonie sociale serait à risque et que d'importants problèmes sociaux pourraient résulter d'une éducation fondée sur une panoplie de dogmes religieux souvent contradictoires et mutuellement exclusifs.

L'Ontario a besoin de maintenir, de développer et de consolider son système d'éducation public de manière à assurer une éducation de qualité et une instruction publique propre à favoriser le développement et la consolidation d'une civilité commune à tous les Ontariens.

La somme totale du montant des crédits d'impôt avancé dans le budget du ministre Flaherty tourne autour de 300 \$ millions. Ces argents ne seront pas investis dans l'éducation publique. Invariablement, lorsque des argents sont retirés du système d'éducation public, ce sont ceux qui en ont le plus besoin qui sont le plus affectés.

Le gouvernement continuera sans doute à dire que le système public ne perd rien et que l'équation ne consiste pas à retirer de l'argent du système public pour financer un système confessionnel. Mais, nous savons tous que chaque fois qu'un crédit d'impôt sera accordé à un parent qui envoie son enfant à une école confessionnelle, c'est un octroi de moins pour le système public. Au total, c'est plusieurs centaines de millions de dollars qui seront soustraits du financement du système public. Cela est inacceptable, car comme nous le disons, ce sont ceux qui ont le plus besoin de ces sommes qui seront le plus durement affectés. À la longue, contrairement à ce que dit le gouvernement, c'est un effritement du financement global du système public dont nous parlons, sans compter que la structure du système de financement proposée est à l'avantage des citoyens déjà économiquement privilégiés.

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D'expérience, un de nous, et c'est moi en l'occurrence, a déjà vu il n'y a pas longtemps l'effet cruel que peut avoir sur un enfant le retrait de services de besoins spéciaux. Une mère en pleurs m'a appelé un jour à la fin du mois d'août parce que sa petite fille ne pouvait plus, faute de personnel, faire changer son cathéter à l'école. La directrice, qui le faisait l'année précédente, ne pouvait plus le faire à cause d'une importante augmentation de sa charge de travail. Elle enseignait maintenant à demi-temps et il n'y avait pas d'aide-enseignant dans l'école. La petite a dû changer d'école et côtoyer des enfants avec des problèmes d'apprentissage, parce que c'était le seul endroit où le personnel avait le temps de s'occuper d'elle. Quel est donc le sens de ces économies de bouts de chandelle pour cette fillette ? Quel

sera le sens de l'érosion du financement du système public ?

La menace qui pèse sur le système d'éducation public est celle d'une importante perte de financement. Mais il y a plus, car en plus de réduire la part publique du financement, on réduit encore là où les besoins sont les plus grands. Assurément, je comprends qu'il y a un maximum d'argent que la société peut investir dans l'éducation publique. Mais il y a également un minimum, et nous sommes actuellement au point où nous frôlons dangereusement ce point. La menace d'un sous-financement de l'éducation publique est véritable et le projet de création et de financement d'écoles confessionnelles vient exacerber une situation déjà passablement tendue.

Ces très brèves considérations que je fais ce matin témoignent de la complexité et de l'ampleur du problème envisagé par ce système public. Cette question, qui n'était pas au menu du programme politique du gouvernement Harris, est traitée trop rapidement et est introduite de la mauvaise manière. On ne propose pas de transformer si radicalement une politique sociale d'une telle importance dans le cadre de la présentation d'un budget. Cela frôle l'amoralité quand on pense que l'éducation, cela affecte des individus. Il semble que le besoin premier soit celui d'un débat de société pour éclairer la population sur les enjeux réels de la place de la religion dans une société laïque et dans le système d'éducation et sur le financement public d'un système d'éducation confessionnel.

Le Canada se place bon premier parmi tous les pays de la planète dans l'échelle des indices de la qualité de vie de l'Organisation des Nations Unies. Un des indices considérés est la qualité du système d'éducation public. Il nous semble donc qu'il nous faut être prudent dans les transformations des paramètres de notre système, sans compter qu'il y a bien des gens qui revendiquent des écoles confessionnelles qui sont venus ici au Canada précisément pour fuir les conflits religieux et les persécutions religieuses qui les accompagnent. La religion est une question qui relève de la sphère privée dans une société laïque comme la nôtre, et dans une telle société, l'État ne doit pas financer les écoles confessionnelles. Le projet du gouvernement Harris sur le financement des écoles confessionnelles est mal conçu, il est irréfléchi, dommageable à toute la population ontarienne et risque de saboter les fondements de la qualité de vie que nous avons atteinte avec l'éducation publique.

Je vous remercie de votre attention. Je suis ouvert à des questions et je peux entretenir des questions dans les deux langues facilement.

The Chair: Merci, monsieur Aubin. We have approximately three minutes per caucus, and I'll start with the government side.

Mr Ernie Hardeman (Oxford): Thank you very much for the well-thought-out presentation. You started off in your presentation talking about the United Nations decision and the problem that creates because we have one denominational school system but we do not provide the same for all others in our society and how we need to

address that. I'm not sure that this tax credit goes the full length, in fact I'm sure it doesn't go the full length, of addressing that, because the United Nations says it should be equal and acceptable to all or to no one. This tax credit doesn't do that. But in your opinion, would this not go some way to provide some freedom of choice and fairness to parents who have decided that what we provide in our one secular school system is not sufficient education for their children?

I just want to say that it isn't just new immigrants. I'm personally a first-generation immigrant, and my children's children are not first-generation immigrants, but a lot of those people feel that what we presently provide in the secular system is not meeting the needs of their children. Don't you think this goes some way to do that?

Mr Aubin: It might, but the damage it causes doesn't justify it. I don't think it's the right approach to solve the problem that was identified by the United Nations. There are other ways to address that kind of situation. There are examples in northern Ontario of people who learned to compromise and adjust. There's a maximum of what society can do in a lot of instances, and this is one of them.

I'll give an example of that: when these new district school boards were put together, in the town of Longlac there was a school that, after 10 years of struggle, the francophones finally obtained and put together. Because of the existing law at the time, it was a single-school community so it was a public school. With the advent of the new district school boards, the feeder schools were Catholic and the secondary schools were public. So we agreed with the Catholic board out of Thunder Bay that if children who registered at the high school for grade 9 desired to have religion courses taught to them, we would agree—the two school boards—to do the scheduling that was needed to accommodate that, and that the funds generated by these students would be turned over to them and they would supply the teachers for religion.

So there's the compromise that is possible in situations like this. I think that if you supply spaces for worship—public schools have said that for a long time. The public school association said, "Listen, if you want a space to worship, you can have space to worship." But to turn a school into a church is something else.

Mr Hardeman: So you're suggesting that the school could provide all that's needed.

The Chair: Gentlemen, I have to bring it to an end. We've run out of time and I have to go to the official opposition.

M. Gerard Kennedy (Parkdale-High Park): Merci, monsieur Aubin. Vous savez aussi que ce n'est pas seulement une planification pour les écoles confessionnelles.

M. Aubin: Oui.

M. Kennedy: Il me semble que si c'est l'intention du gouvernement de créer un nouveau système privé séculaire, c'est peut-être un problème spécialement pour les écoles dans les régions rurales. C'est un problème peut-être pour les petites écoles. On perd les ressources, comme vous l'indiquez. Avec chaque étudiant qu'on

perd, on perd cette ressource. Peut-être que le conseil a déterminé que c'est un problème spécialement pour les petites écoles?

M. Aubin: Ce qui arrive dans un conseil comme le nôtre, c'est que si quelqu'un met en place une école privée, par exemple, ici, typiquement une école privée accepte ou invite des enfants d'un calibre élevé. Ça draine les meilleurs élèves des écoles déjà existantes. Alors, ça devient encore plus difficile, parce que tu restes avec la clientèle avec le plus de besoins. Tu restes avec toute cette clientèle typiquement et tu as moins d'argent pour en prendre soin. Or c'est ça l'effet.

M. Kennedy: Mais généralement il y a un problème avec, par exemple, une nouvelle école catholique avec peut-être 20 étudiants, ce qui peut être un problème avec le conseil qui a décidé de commencer une nouvelle école. Ce n'est pas des restrictions, ce n'est pas des régulations; c'est seulement l'indication de commencer une nouvelle école et recevoir le crédit d'impôt.

1020

M. Aubin: Bien, je ne sais pas du tout quel effet ça peut avoir dans une petite communauté, parce que pour la plupart d'eux autres, c'est tellement difficile de faire la livraison d'une éducation acceptable dans le moment que d'en enlever encore, c'est presque du ridicule.

Je sais qu'à Toronto puis à Ottawa typiquement, on nous dit d'employer de la technologie dans les distances. Mais, par contre, quand un ministre a quelque chose à annoncer à Toronto, il peut faire venir des centaines de personnes à Toronto pour faire une annonce de 15 minutes, parce que l'adaptation, la technologie, c'est toujours pour les autres. Mais allez vous asseoir dans une école à Wawa puis à Longlac puis tous ces endroits-là, puis essayez de faire vos cours de CPO, les deux tiers de vos cours, par vidéoconférence. Il faut que vous ayez beaucoup de confiance.

M^{me} Shelley Martel (Nickel Belt): Merci, Jean-Marc, pour venir ce matin. Je voudrais parler à propos du besoin d'avoir des audiences publiques partout pour que le monde puisse y aller participer. Peut-être que vous savez clairement qu'autour de la province en ce moment, il y a plus de 880 personnes qui ont demandé l'opportunité de participer. Bien sûr, avec les audiences publiques limitées, on ne peut pas en accommoder la moitié. Pourquoi est-ce que vous voulez avoir des audiences publiques partout pour que le monde puisse dire quelque chose et participer?

M. Aubin: Je pense qu'il y a des changements importants qui se passent dans notre société puis qu'il faut en discuter d'une façon très informée. Un des changements qui est indiqué récemment, c'est dans le contexte des Amériques. Dans le contexte des Amériques, notre pays insiste à ce que des autres pays d'Amérique aient des minimums en éducation et des minimums en services sociaux et de santé. Ils insistent là-dessus pour d'autres pays avant d'entreprendre des ententes quelconques; on insiste là-dessus.

Maintenant, si on insiste là-dessus à un niveau de notre pays, puis qu'à un autre niveau on encourage le

contraire, on s'en va dans la même direction que d'autres pays, où les gens en éducation privée sont vraiment beaucoup plus privilégiés que le reste de la société. C'est la direction contraire qu'il faut prendre. On ne peut donner deux messages. Puis si on est pour faire des changements de cette sorte-là, il faut en discuter longuement pour faire les bonnes décisions, parce que le système public nous a quand même bien servi. Il nous a très bien servi jusqu'à date. Alors, quand on veut changer ça puis qu'on veut multiplier les écoles religieuses, les écoles privées, on s'en va dans la même direction que les Amériques, où il y a beaucoup, beaucoup de problèmes de société et où on insiste pour qu'on fasse le contraire avant de s'entendre sur des ententes.

Alors moi, je vois que le débat de société est très, très nécessaire à plusieurs échelles à cause de l'impact que ça va avoir.

Le Président : Au nom du comité, merci pour votre présentation ce matin.

M. Aubin : Merci beaucoup. Thank you very much.

MACLEOD PUBLIC SCHOOL COUNCIL

The Chair: Our next presentation is from the MacLeod Public School Council. I would ask the presenter or presenters to please come forward and state your name for the record. On behalf of the committee, welcome. You have 20 minutes for your presentation.

Mr Ron Lessard: Ron Lessard, chair of the MacLeod Public School Council. Thank you for the opportunity to make this submission to you on behalf of the school council members of MacLeod Public School, parents and the school community at large.

I have three major concerns that I wish to raise with the committee this morning. However, before embarking on these three issues, we need first to set the context for this presentation from the MacLeod school council. As chair of the school council, I was requested at the annual general meeting of council, held on Wednesday, June 6, by a formally approved motion, to make a presentation to you and submit the views of the school council, parents, community business partners and others in attendance at the AGM.

MacLeod Public School is the largest elementary school in Sudbury, with over 560 students and a staff of 31 professionals. Our school community is very active and vibrant in support of this learning environment. For example, this year's annual fun fair, held on May 3, raised over \$14,000 to support school activities.

MacLeod Public School offers a world-class school program to all students, from JK to grade 8. All of the partners associated with implementing the educational and learning activities at the school are very proud and very committed to the ongoing enhancement and improvement at MacLeod. We see Bill 45 as an impediment to our vision for MacLeod.

The three issues I wish to raise for your consideration are, firstly, the philosophy of private versus public. This issue is not about what's right or wrong, better or worse,

rich or poor; it's all about the principle of a public education system. The public education system has always been a hallmark in this province. Our fathers and grandfathers had the right to an adequately funded public school system and, until recently, it was our dream and the dream of our children that this system would remain intact. The public education system recognizes the equality for all children, regardless of financial ability, background, ethnic origin, religion, colour or creed.

The principles and integrity of our publicly funded educational system cannot be jeopardized or distracted from by the proposals in Bill 45. We believe there is a fundamental error in the approach to utilizing public tax dollars—our dollars—to support a private, independent education system. We certainly cannot support our tax dollars or loss of tax revenue in this province being used to subsidize the private sector in the educational arena.

Think about it. Begin with the end in mind. Do we, in Ontario, want our provincial education system to be designed as a competitive marketplace? That is exactly what is being proposed. What is being suggested is equating our children to commodities. When my children's children attend school 20 years from now, can you imagine the monster we are considering creating with Bill 45? Think about what it will look like. Think about the consequences and risks associated with Bill 45. Think about an educational marketplace competing for tax dollars and tax credits to produce a commodity, and output targets measured in units of kids. I do not believe that those who look beyond the short-sighted view of Bill 45 can, in clear conscience, support it.

We're talking about our children's well-being, their education and learning opportunities, their right to a public school system, with standards of excellence in learning, with values, with credentials and testing for educators—the system based on our diverse multicultural society, with equality for all. Our public school system must remain intact and improved, without public dollars supporting the competitive, private degradation of what is already a public system in stress.

We believe the consequences of the proposals outlined in Bill 45 not only put at risk the public education system as we know it today, but it will develop into an unfair, prejudicial, racist approach to our education system. It will be the start of a journey down the road of dismantling excellence in education, without approved curriculum, adherence to accepted standards of learning and provision of qualified, competent teachers. What is being proposed will only lead to the demise of our precious public education system.

The right of choice for parents exists today for the public education system, private independent schools and home schooling. People have a choice today. Bill 45 is not necessary and jeopardizes what we, as citizens of the province, cherish for the future, our legacy, what we leave for our children: a strong, adequately funded public school system for all.

We believe a fully funded public education system should not be placed in jeopardy and therefore cannot support the bill as it stands.

The second concern is dollars and sense—and that's not a spelling error, although there are some in the transcript. I used a naturally speaking voice recognition system when I dictated this, so there are spelling errors the computer doesn't correct and I apologize for those.

This issue is the need to promote a public education system, adequately funded with tax dollars. The issue is not to support realignment of tax dollars and/or tax credits at the expense of our public education system. I'm not going to bore you with a lot of figures this morning—I'm sure you're going to hear lots of them and probably already have—but there are a couple of figures that I think are important locally.

1030

In 2001-02, the Rainbow board will receive some \$2.2 million less in overall funding than last year. The Rainbow board is having to use \$1.2 million—half of our education reserve fund—to conduct the educational program next year. However short-sighted this may be, it is clearly not sustainable and is the result of inadequate provincial funding.

The proposals in Bill 45 will only compound the dollars-and-cents—and that's spelled correctly—financial issues in Sudbury and across the province. As well, these proposals are counterproductive and will lead to further loss in provincial funding for the public education system. Then why is it being proposed? Big savings for the provincial coffers. Again, I believe it's a very short-sighted view, without a vision of the future.

The economics are very simple. For every student in the public education system, about \$7,000 is provided to the school board. Offer tax incentives for students to attend unregulated independent schools and save the \$7,000, but at what cost? Further erosion of the public education system as we know it today in Ontario and providing lower-quality, uncontrolled, unregulated education via profit-making private schools funded by our tax dollars through a tax credit system.

And there is a much greater cost: the true, real cost of depriving all our children at MacLeod and other schools in the public education program of their right to an education and learning environment second to none in the world. Sure, it would produce dollars for our provincial coffers, but it makes no sense. The true cost is far too great at the expense of my children.

We respectfully submit this is not the way to meet the government's and our objective that "every student in Ontario deserves the best education possible." That is taken from the Honourable Janet Ecker's statement to the Legislature on May 16.

This brings me to the third and very important point of true equality and equity. This issue is one of producing widgets of our children or investing in them as human beings and leaders of tomorrow. The human values, the people-learning skills of life, are alive and well at MacLeod Public School. These values and skills are not

part of the EQAO standardized testing results for my sons, Adam—grade 3—and Andrew—grade 6—who just completed the testing this year. In many cases, there are no standards or measurements of these critical social values, behavioural expectations and moral fibre. These are the inherent building blocks in the foundation of our youth.

I recently attended a one-day workshop here in Sudbury on the Ministry of Education safe schools initiative. This is an excellent example of the government's commitment to public education in this province. Unfortunately, the proposals in Bill 45 will negate most, and certainly many, of the positive aspects of safe schools. Bill 45 will provide a totally reversed outcome to the safe schools initiative.

For example, at MacLeod school, which we have chosen to be a world-class school, the school council, students, parents and teachers have selected the values we believe are critical, not only to our learning institution but to the community. These values include tolerance and understanding of each other regardless of our background, culture, religion, colour or creed. We, with our children, believe and practise respect for ourselves and for each other within the dynamics of a multicultural society.

We strongly believe that the proposals of Bill 45 will segregate and stratify our children. The proposals will not build bridges of tolerance and understanding but will create obstacles of discrimination, harassment and divisive values. It will provide forums for building fences and barriers between the kids of different cultures, backgrounds and economic stature. And again, at what cost? The real human cost, not in dollars, but measured in polarized groups of children based on wealth, colour of skin, ethnic origin and the other variables which we are now trying to treasure and appreciate. In the last century, we tried residential schools to assimilate native people into the white man's culture. Today, we are proposing to segregate our valuable differences so that they might be less understood and appreciated by all.

Bill 45 will lead us down a road I truly do not want my children to have to travel. Please let common sense and good judgment dictate that we move forward together in a fully funded public education system in this province which still allows for parents' choice and desire for independent or private schools and home schooling, as they have today.

Once again, thank you for the opportunity to make the views of MacLeod Public School Council known. We respectfully request your consideration of the concerns raised.

The Chair: We have two minutes per caucus, and I'll start with the official opposition.

Mr Kennedy: Thank you for your presentation and thank you to the council for taking an interest in this subject. We know it hasn't been the best of conditions under which to come forward. There's not been a lot of notice. We don't have a lot of time. We wish we could

hear from everyone in this particular connection, but the government thought otherwise.

I just want to reinforce some of what you said particularly and then ask you to put it in terms that will help all of us to understand. Our analysis that we're releasing today does show over \$2 million missing from your board, another half a million dollars missing from the other board in Sudbury, the Catholic board, and, even more so, \$18 million—almost \$19 million really—gone missing from the schools in terms of inflation and enrolment impacts since 1995. Just on a per student basis, the average between the two boards is \$819 less.

As chair of a parent council, I would like you to reflect for the committee on where you would see money better spent in your school were the government not to proceed with this private voucher initiative but to make that \$300 million available to help make up some of that cut that's taken place and some of the shortfall you may be experiencing.

Mr Lessard: I personally have some very strong views on this because my youngest son, who's nine years old, has some minor special needs. At school council, I'm extremely concerned that there are a lot of children falling through the cracks today in our public education system. I think this money should be invested directly into those children who don't have the supportive nature of strong parents to help them through the system. The system owes it to them to make that investment.

Ms Martel: Mr Lessard, thank you for coming today. How long have you been involved with the school council at MacLeod?

Mr Lessard: I've just completed my third year, and first year as chair. I will be running again next year as chair.

Ms Martel: Why did you become involved in the first place?

Mr Lessard: I've moved around the province a fair bit in my career, and when I came to Sudbury—my two boys are the most important thing in my life. As I moved from Sault Ste Marie to here, I became very concerned that I didn't take an opportunity to participate more fully in the conduct of the educational system. I feel very strongly about the partnerships in education that parents must play.

Ms Martel: In the three years you've been involved in the school council, can you tell the committee whether or not you've seen consequences, positive or negative, with respect to the funding of the public school system?

Mr Lessard: Yes, there are consequences. I think more kids are falling through the cracks. Particularly at MacLeod this coming year, I see children going into grade 3 classes with 31 or 32 kids in a class, and I don't think that is right.

Ms Martel: What makes you think the government will have that \$300 million to invest in the tax credit that will come from what should be funding of the public education system? The government has tried to say the money will come from somewhere else, that it won't be

at the expense of the public education system. Why do you feel otherwise?

Mr Lessard: A wise person once said, "If you get your foot in the door, eventually the door will open wider." I really believe this is just the start of a major shift and change, and 20 years from now is where my concerns lie for my children's children. I see that as apples and oranges. You can do what you want with the dollars. People can play with them. I'm sure there will be lots of folks addressing you who could answer that question a little better than I, but certainly I have great concerns about the difference between the systems.

The Chair: The government side.

Mr Raminder Gill (Bramalea-Gore-Malton-Springdale): Thank you for your presentation. On page 2, you talk about "our tax dollars." I'm just trying to clarify that. What about the people who are sending their kids, by choice, to independent schools, religious schools or strictly private schools? As you know, they are paying tax dollars to the education system. What about their tax dollars? Should they not have any choice in selecting?

1040

Mr Lessard: I believe they have a choice today. As a parent, I personally looked at the private school system on two occasions, particularly for my younger boy. I think the argument could be forwarded somewhat by suggesting—I mean, my father supports the system as a grandparent, yet doesn't reap direct benefits. I'm not sure you can isolate. Those people who have the choice to use other avenues to provide education for their children are doing it by choice, and they have that choice today.

Mr Gill: You talk about "world class." As I understand it, throughout the world there is this choice, systems in place where people can take their tax dollars and spend them wherever they want to. When you talk about "world class," can you specify what you mean?

Mr Lessard: World Class is a school program the Rainbow board embarked upon two years ago. MacLeod was one of the first schools that entered the program. We're now in our second year. What it does is reflect the community. It reflects the social values of our community, the mix of different people, from different backgrounds, cultures, races and economic availability. When I speak of World Class schools, I'm speaking particularly about this program, but I think it speaks highly in meaning when it says it takes a whole community to raise a child. That's the philosophy. As opposed to taking children and putting them into boxes based on whatever criteria Bill 45 would present or offer, we feel it's much better to have a world-class school which reflects the multicultural society, particularly here in Canada.

The Chair: On behalf of the committee, thank you very much for your presentation this morning.

MONTESSORI SCHOOL OF SUDBURY

The Chair: Our next presentation is from the Montessori School of Sudbury. I would ask the presenter to please come forward and state your name for the

record. On behalf of the committee, welcome. You have 20 minutes for your presentation this morning.

Ms Lynn O'Brien: Good morning. I am Lynn O'Brien, the administrator at the Montessori School of Sudbury.

Dear committee members, at the outset I would like to thank the panel, on behalf of the staff, students and parents of the Montessori School of Sudbury, for the opportunity to share with you our thoughts concerning Bill 45 and the tax relief it would afford those parties concerned. The enthusiasm that the above-mentioned staff, pupils and parents have for our school has no bounds, and we welcome any and every opportunity to share with others the unique and special nature of our institution.

To explain this unique character, we must go back in history to an Italy over 130 years ago, where a visionary woman named Maria Montessori would become the first female physician to graduate in that country and who, as an anthropologist as well, would set forth an educational methodology and philosophy which would revolutionize teaching and which henceforth would be associated with her name, the Montessori method of education. Through her meticulous observations and much trial and error, she arrived at her methodology of teaching, which was child-centred and rooted in early childhood education. Dr Montessori's legacy has been the establishment of Montessori schools, run according to her principles, worldwide from Asia and Australia to Europe and North America.

Suffice it to say that an analysis of her pedagogical philosophy is beyond the scope of this presentation, but much material is available concerning the Montessori approach and its unique place in teaching. For our purposes, it might suit us better to show how all this is manifested in the classroom, how the Montessori method actually unfolds in the real-world setting of our lovely school here in Sudbury, Ontario.

At the age of three, our pupils begin the program and ideally will have the same teacher—or, in Montessori terms, directress—over the course of the entire three-year length of school. They will be in a specially equipped classroom with children of ages three, four and five, working not with toys or dolls or playthings but rather with concrete materials and manipulatives: beads and cubes, sandpaper letters and water-pouring devices. They are in a unique classroom, full of materials which guide them through the curriculum and in which the teacher is just a directing force. He or she does not even have a desk in the classroom. This room belongs to the children. They leave their parents at the door, greet the teacher with a handshake and embark on their educational journey. By the time they complete the so-called preschool—or, in Montessori terms, casa level—the child will have more than a rudimentary grasp of both literacy and numeracy, as well as many practical life skills. I can't begin to tell you in words how uniquely and creatively this all unfolds. As a corollary to that, I would

encourage all parties interested in childhood education to observe a Montessori classroom in action.

Fortunately for these youngsters, the opportunity to further their education utilizing the unique Montessori methods they have already embraced exists in our elementary school program. In the Montessori School of Sudbury, we are currently offering up to grade 5 and our plans for 2002 include a sixth grade as well. Students enter grade 1 having three years of Montessori education under their belt, so to speak. Our elementary program again is founded upon unique materials and manipulatives, as well as a blending of grades in groups of three, so that the junior elementary classroom would comprise those students in grades 1, 2 and 3 and senior elementary would bring together grades 4 through 6. As in the casa or so-called preschool phase, the students will have the same directress to guide them over the span of a three-year term.

Here in Sudbury, it was through the hard work of dedicated staff and parents that we have managed to expand our school to the elementary level, and our projected enrolment for the coming school year is close to 110.

Perhaps it is time to review our history. The Montessori School of Sudbury heralds back two decades to 1978, when it was incorporated as a non-profit institution. It was and continues to be recognized by Revenue Canada as a charitable organization. The school is registered under the Day Nurseries Act of Ontario and must renew its licence annually with the Ministry of Community and Social Services. We meet the requirements of the Ministry of Health, as well as the Sudbury health unit, as to the cleanliness of the school. Our not-for-profit school is administered by a voluntary board of directors, comprising both representatives of the parent body as well as the Sudbury community at large.

Since 1988, the Montessori School of Sudbury has been recognized by the Association Montessori International, AMI, perhaps the pre-eminent arbiter worldwide of what is meant to meet or exceed the Montessori standard. Over the course of the past few years, the Sudbury school has been working toward accreditation through the Canadian Council of Montessori Administrators, the CCMA.

Our teachers study at a specialized educational institute, such as the Toronto Montessori Institute, and as such are steeped in the unique methodology and teaching philosophy that the Montessori classroom requires. Our teachers are specialists in the Montessori approach. May I add as a sidebar that in our classroom, we also utilize as assistants teachers who are registered with the Ontario College of Teachers. However, it is mandatory that the overseer of the classroom activities and curriculum be Montessori-trained.

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Our teachers and allied staff undergo ongoing continuing education and professional enhancement as part of a lifelong learning approach. Annually, they will attend conferences intended to enhance their professional

development. You will find that the Montessori teacher is an enthusiastic proponent of education, someone who sees this career as almost a calling, and their devotion to and boundless energy for the Montessori way embraces all aspects of their lives.

Who are the parents of our children? In their ranks you will find many ordinary citizens: single parents, stay-at-home moms, working parents. One thing they share is an amazing dedication to the school. From those who volunteer to sit on the board to those who organize fundraising activities, our parents commit a lot of time and money to the school. Without this selfless dedication to the school by many groups of parents, we wonder if the institution would have survived its two decades in Sudbury. These parents have chosen a unique method of teaching for their children and are so committed to it that they pay extra for that privilege.

Our students come from the ranks of our so-called preschool or casa level, and we do not raid students from the public system for our elementary ranks. In reality, we turn them away. May I stress once again that we are a non-profit organization with over two decades in the Sudbury community and with philosophical affiliations to other Montessori schools worldwide. We offer a different teaching methodology to youngsters than what is otherwise available. Perhaps it is time that our parent body receive a bit of tax relief for their financial commitment to the Montessori approach.

In closing, I would like to make available to you our parent handbook and other materials which will more thoroughly and more eloquently explain our distinct nature of learning as a learning institution in Sudbury. Once again, thank you for this opportunity.

The Chair: We have approximately three minutes per caucus. I'll start with Ms Martel.

Ms Martel: Thank you, Ms O'Brien, for coming today and expressing your point of view. I probably won't ask a question as much as make a comment.

I don't challenge your right or the right of parents to establish Montessori schools or to establish Christian schools or other private schools, for that matter. That is a right that parents should continue to have. What I disagree with, and this will not come as a surprise, is the use of public money to support that. I clearly believe that the \$300 million the government is talking about to support the tax credit plan is a minimum amount of money, that when it's completely rolled out it will actually be a much bigger amount of money. That will come directly at the expense of funding the public education system in the province. Second, I also very clearly believe that the move to the tax credit scheme is but a first move to charter schools in the province.

I oppose the government scheme on those grounds, which I'm sure you are aware of. I continue to think we should be not just propping up the public education system, which is where I think we are, given the government's cuts to education since they were elected; I think we should be very actively investing in the system. But I

remain convinced that we won't be able to do that if we use public money to essentially support private schools.

You were good enough to give us your view, and I wanted to tell you where we're coming from.

Ms O'Brien: I appreciate your comments.

The Chair: The government side?

Mr Joseph Spina (Brampton Centre): Thank you, Ms O'Brien, for your presentation. Just a couple of quick questions. Montessori is non-denominational, correct?

Ms O'Brien: That's correct.

Mr Spina: Second, you indicated—please correct me if I have not understood it properly—that your curriculum would clearly and easily meet Ministry of Education standards.

Ms O'Brien: It does. It's the method we choose to teach it to the children that's very different and distinct.

Mr Spina: Would you be willing to submit your children, for example, to the standardized testing procedure that the public system is now incurring?

Ms O'Brien: We, for the first time this year, did grade 3 testing. It wasn't the ministry's source we used; however, we do submit our children to standardized testing. The CAT method is what we use.

Mr Spina: OK. Your teachers, many or most, are registered with the Ontario college. Is that correct?

Ms O'Brien: Two out of my 12 staff are, but in a Montessori world it's essential that each of my main directresses are recipients of Montessori training diplomas. In some cases, these teachers have gone to teachers' college and then decided to take Montessori training. That happens. Most of my directresses are either recipients of BAs or not necessarily teaching degrees, but they have to take the specific training.

Mr Spina: It's clearly a pretty good system. Mr Kennedy's kids are in it right now—we know that; he's said that to us—and I have a niece and a nephew in the system back home.

Do you view the tax credit as a threat to public education, as Ms Martel has indicated?

Ms O'Brien: I just see it as an opportunity that our parents, who pay their taxes for the other school boards, because they've chosen Montessori or a private system now have that opportunity for that bit of a tax break. Frankly, I don't think it's going to make a difference with any of my parents whether this bill passes or not. They're there because they've chosen a different alternative.

Mr Spina: So you don't see a mass exodus?

Ms O'Brien: I see very little.

The Chair: The official opposition.

Mr Kennedy: I'm sure Mr Spina meant to mention that my daughter is in a program in a public school, the école Montessori in Toronto, which is both a preschool and a school based on the Montessori method in the public system. That's what I want to ask you about. Why isn't your school in the public system?

Ms O'Brien: Our school started out as a nursery school.

Mr Kennedy: And I see you interact with health and with Comsoc—

Ms O'Brien: We do, and we're funded—

Mr Kennedy: —but nothing to do with the Ministry of Education?

Ms O'Brien: Except that we're registered as a private school with the Ministry of Ed.

Mr Kennedy: You filled out that one-page form to register.

Ms O'Brien: Yes, that's right.

Mr Kennedy: But why isn't this method available as an option within public education? This is not-for-profit, correct?

Ms O'Brien: That's right.

Mr Kennedy: So why wouldn't it be a possibility within public education?

Ms O'Brien: Maybe because we just never thought about it. Maybe because our roots were with a daycare, then we grew into—

Mr Kennedy: How much do you charge, may I ask?

Ms O'Brien: For which level?

Mr Kennedy: Say for primary.

Ms O'Brien: Our 3-4 casa level?

Mr Kennedy: That's preschool.

Ms O'Brien: That's right. Our casa level half-day program is about \$3,800 a year. The full-day casa level, who are four and five years old and who have the opportunity to come a full day, is approximately \$5,600 per year. Our elementary level, which will be grade 6 come this fall, is \$6,100 a year.

Mr Kennedy: So the cost per student is not out of line with what the publicly funded systems are receiving.

Ms O'Brien: Not at all.

Mr Kennedy: Has anybody connected with your facility looked into the possibility of being part of the public system and maybe spreading some of those methods within the public system? That's what the French school my daughter attends is trying to do.

Ms O'Brien: I would question if her school is recognized as a true Montessori setting. We're very clear about the guidelines we—

Mr Kennedy: They belong to both the associations you mentioned.

Ms O'Brien: And are they accredited as a—

Mr Kennedy: Yes, in both those associations.

Ms O'Brien: Really. That's an interesting make-up. I'm not aware of that.

Mr Rick Bartolucci (Sudbury): Thank you very much, Ms O'Brien, for your presentation. I am truly interested in special-needs children. I devoted my life in education to ensuring they were treated fairly. In your enrolment of approximately 100, how many special-needs children do you have and how do you address their individual and peculiar needs?

Ms O'Brien: We have some hearing-impaired children and some speech-impaired children. Other than that, we have none registered with our school for the fall.

Mr Bartolucci: Would you refuse a parent who has an autistic child?

Ms O'Brien: No. We work according to a waiting list. We're very much in demand in Sudbury. If this child

found their way on the waiting list and I had an opening, there is no—

Mr Bartolucci: How would you service an autistic child's needs at the casa level?

Ms O'Brien: I know there are dollars out there available to parents who have autistic children. They would have to work in conjunction with my Montessori directresses. We've certainly not had a lot of experience with autistic children, but we would have to figure out a way to get our program across to this little child that wouldn't—

1100

The Chair: We've run out of time. On behalf of the committee, thank you very much for your presentation.

Before I go on to the next presenter, we have a cancellation this afternoon at 2:40, apparently. We have a couple of people who want to present and if there are any more who submit their names, I suggest, if the committee's agreeable to this, that we put all the names into a hat and let the clerk pick a name so that we can fill that spot. Is that fair to everyone? I'll instruct the clerk to do so. If we have anyone in the audience who wishes to make a presentation at 2:40 this afternoon, please submit your name with the clerk.

Mr Monte Kwinter (York Centre): Mr Chair, on a point of clarification: You say we have a couple of people. Were you suggesting that the 20 minutes be allocated between two people or many people—

The Chair: No, for one person.

Mr Kwinter: For one person but as many who want to, you'll pick your name out of those. OK, thank you.

RAINBOW DISTRICT SCHOOL BOARD

The Chair: Our next presentation this morning is from the Rainbow District School Board. I would ask the presenter or presenters to come forward. Please state your name for the record. On behalf of the committee, welcome. You have 20 minutes for your presentation.

Ms Doreen Dewar: Thank you, Mr Chairman. I have copies of my presentation that are available if you would like to distribute them.

My name is Doreen Dewar. I am currently chair of the Rainbow District School Board. I would like to begin by thanking the members of the committee for giving me the opportunity to speak this morning on behalf of the Rainbow District School Board.

There has been a large number of changes to the governance and delivery of education in the province of Ontario and indeed across the country. Each province is convinced that the model they have chosen will provide our young people with excellence in education.

The changes to Ontario's education system can indeed be called radical, but only history will determine whether these changes have been improvements to the quality of education or simply measures to halt what was perceived to be unbridled spending of tax dollars.

I know from first-hand knowledge that my own four children, as well as their peer groups, have taken their

places in society as productive, caring, intelligent human beings, due in no small measure to the public education system that this government has chosen to dismantle.

Boards, educators and parents across the province, and certainly within the Rainbow District School Board, are expressing a great deal of concern regarding the recent announcement that the Harris government will be providing tax credits to parents who enrol their children in private schools.

Trustees of Rainbow District School Board feel that this is a step in the wrong direction in the ongoing reform of Ontario's educational system. We respectfully implore the government to reconsider this decision, as we believe it will have the effect of eroding public education for our students.

Rainbow District School Board is concerned about the impact the private school tax credit will have on funding to our board. We have written the minister on several occasions to inform her of the flaws in the funding formulas that do not consider the special needs of large geographical areas and sparse density that is so prevalent throughout the north. We have attempted to point out that southern Ontario solutions to southern Ontario problems do not benefit northern Ontario.

In the case of the 2001-02 increase in funding to district school boards—that's the \$360 million that has been talked about—after you deduct \$120 million allocated for increases in enrolment which are occurring only in southern Ontario, we are left with \$240 million, or 1.9%. This increase in funding does not cover the increases in the areas of personnel, utilities or travel. The \$300 million required to fully fund—and it has been mentioned that may be a minimum—private school tax credits would be better utilized by district school boards as they attempt to implement provincially mandated programs and services.

As well as financial implications, however, it is important to consider educational issues. These also will be impacted by the proposal. This government must maintain the standards it has set for education in this province by requiring that private schools be subject to the same improvements that have been applied to the public school system.

Private schools must be accredited, and accreditation must include all of the following: new rigorous curriculum from kindergarten to grade 12; safe schools requirements, including mandatory criminal checks for every individual employed and working in regular contact with children; student evaluation, including the use of the new report cards and EQAO standardized testing; teacher certification from the Ontario College of Teachers; teacher testing to ensure that teachers keep developing and improving their skills; the formation of school councils to enable the active participation of parents to improve student achievement and enhance the accountability of education—I hope some of these words sound familiar—the use of textbooks approved by the ministry; mandatory co-curricular programs and plans submitted to the ministry to ensure the delivery of same.

One item stands out above all else, and that is the possibility that tax credits may be made available to parents who enrol their children in junior kindergarten and full-day senior kindergarten offered by private schools, as you've heard in the presentation prior to mine. That is the clearest indication of inequity and erosion to the public system. In order to provide parents with an equitable choice, as well as in the interests of improving early childhood education in the public system, the ministry must begin to provide funding for full-day senior kindergarten to enable public schools to offer these much-needed northern Ontario parent-requested programs.

Members of the standing committee, each of you must ask yourself and your colleagues how this government can profess to fund private school tax credits under the guise of providing parents with a choice of education while failing to demand that private schools implement what have been touted as necessary reforms to improve education.

Consider that district school boards receive \$6,900 per student from the province. I understand that may be lower. But it will only cost the government up to \$3,500 in tax credits to parents who send their children to private school. These examples must cause some concern as to whether the public school system in the province is in jeopardy.

Surely there can be no doubt that tax credits are a form of incentive. Encouraging parents, through the tax credit, to enrol their children in private schools can in no way be misinterpreted as supporting public education. Encouraging parents, through tax credits, to enrol their children in private schools that do not provide the required standards set for public schools is irresponsible.

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If we are to believe that the legislation previously enacted is aimed at—and I quote, as did previous speakers—"setting high standards to ensure that students receive the best education possible," then you must be prepared to set the same high standards for private schools. However, the fact that the government appears unwilling to demand these same high standards of the private school system casts doubts on the motive of having enacted the radical changes to education in Ontario. Added to this is the proven underfunding of public education, and it's no wonder that boards, educators and parents across the province are demanding that you vote in opposition to the private school tax credit.

In summary, there is an issue of the basic philosophy of education which must be considered, and Mr Lessard also spoke of this. The strength of the public education system is based on core values—core Canadian values. Those values consist of universality, equality of access and a high standard of educational goals. Public education values every child, regardless of financial status, individual ability, race, religion or ethnic origin. Public education values diversity, not segregation. Public education teaches respect and tolerance for others. It teaches

an appreciation of our differences and a celebration of our commonality.

Public education is the only system that satisfies the concerns raised by the United Nations. Any move toward a system that would promote segregation should be, and is, abhorrent to our basic Canadian values.

The fate of public education in Ontario lies in the hands of our elected representatives. One fully funded public system of education is not only worthy of your protection, but it is worthy of your promotion, both philosophically and financially.

I thank you very much, and I would like to just add one other comment. Having listened to the presentation just prior to mine, I have to tell each and every one of you, as chair of the Rainbow District School Board, I would be absolutely overjoyed if we could equip every single one of our junior kindergarten and senior kindergarten rooms with the kind of equipment that was being presented as part of the Montessori program. I would very much spend the money, if we had it, to do just that.

The Chair: We have two minutes per caucus, and I'll start with the government side.

Mr Bob Wood (London West): Do you support the continuance of funding for the Catholic system here in Ontario?

Ms Dewar: I didn't think that that's what I would have to address today, but I did make myself very clear that I feel one fully funded public system is the answer to providing the best possible education.

Mr Wood: Do you think parents who choose an independent school for their child are making the right decision for their child?

Ms Dewar: I value the right of choice; I value it for parents choosing their school. I currently live on a lake in the city of Sudbury. I pay exceptionally high taxes. I am very blessed to have been able to afford the choice. I have no city services—I have no sewer, no water—but I'm not going to the taxpayers of this city and of this municipality and saying that because I've chosen to live there I want a tax credit. I'm not getting the services that I pay taxes for, but I feel very blessed that I'm able to do it. I think everyone should have the choice. But are tax credits an incentive? Are we in fact encouraging people to remove their children from the public system?

Mr Wood: Why is it you think only some choices should get recognition in the tax system?

Ms Dewar: But do any of our choices get recognition in the tax system?

Mr Wood: All charitable choices do.

Ms Dewar: All charitable choices do?

Mr Wood: You get a tax deduction for a charitable donation.

Ms Dewar: Yes.

Mr Wood: You choose the charity.

Ms Dewar: That's right.

Mr Wood: Yes.

Ms Dewar: We agree.

The Chair: We've run out of time. I have to go to the official opposition.

Mr Bartolucci: Doreen, thank you very much for your excellent presentation.

Ms Dewar: You're welcome.

Mr Bartolucci: You might want to inform the members of the government of some of the constraints that you're under because of the roughly \$2 million less in funding you are receiving as a school board and paint the real scenario of what is happening with the Rainbow District School Board.

Ms Dewar: In the area of funding, it's horrendous. Because we are a large area, we have a lot of community schools. Funding formulas are based on large urban centres. Most of our schools are not built to hold 450 students at the elementary level, and yet the funding formula only provides funding for schools with 450 students in the areas of secretarial and of principals and vice-principals. We have just gone through the most horrible—and I wish everyone could go through it—school review process of 10 schools this year. There are people in communities that have one school, and we're having to close those schools. We don't have the funding to keep small community schools open.

Now, is that right or is that wrong? The choice is not ours. We don't have that choice, because we have a certain amount of money. It is earmarked and we darned well have to do the best we can with that money. The other choice is to cut programs, things like full-day senior kindergarten. We choose not to cut that. There are our choices.

Ms Martel: Thank you, Doreen, for coming today and making a presentation. I'll wrap all the questions into one. If you could just highlight again some of the other constraints. You fund JK; that costs you to do that. You've had extraordinary hydro costs over this whole year; you haven't gotten funded for that. There are other costs that you have that you have not received funding for from this government, which has led to cuts right across your board. Maybe you can describe cuts in teachers, special ed, librarians etc. Given that, how long do you think it will be before people in the community will start to say, "I am not being well served by the public system because of the cuts and the constraints; I'm going to use the incentive of \$3,500 and take my child elsewhere"?

Ms Dewar: You've virtually touched on many of the cuts that we've made. We don't have the money for textbooks. We have the same number of students moving from grade 10 to grade 11. We've been given half the funding for those grade 11 textbooks. They cost more. We have to provide these things. We've made terrible cuts to maintenance of our schools. We have aging buildings. They have to be maintained. We don't have the money to maintain them.

As I say, we have to continually make choices between the numbers of buildings and the bricks and mortar, and the programs. Of course, when it comes to those kinds of choices, we choose the programs every time.

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But the funding itself, please, ladies and gentlemen, don't forget the other side of it, and that is, yes, people have a right to choose. But is it at the expense of the public school system? Can you guarantee me that it's not? Can you look back three years from now and say not one cent was removed from the public system? Because every cent that's removed impacts on our programs and makes us less able to offer the kinds of programs that people need, especially in the area of special education. That's an area that is constantly underfunded and it's a program that needs our attention.

The Chair: Thank you very much; we've run out of time. On behalf of the committee, thank you very much for your presentation this morning.

Ms Dewar: I appreciate the opportunity. Thank you.

CAMBRIAN COLLEGE

The Chair: Our next presentation is from Dr Frank Marsh, so I would ask the presenter to come forward, please. If you could state your name for the record. On behalf of the committee, welcome. You have 20 minutes for your presentation.

Dr Frank Marsh: I'm Frank Marsh, president of Cambrian College. I want to thank you for the opportunity to speak about Bill 45, but I wanted to address another area of the budget than the one that was addressed by the previous speaker. In particular, what I want to speak to are the post-secondary funding announcements that were made in the budget, I guess to put a perspective on them for you.

In fact, there was substantial text in the budget about the post-secondary system this year. There was a \$293-million announcement by 2003-04, direct and proportional to enrolment growth, that would deal with what we refer to as the double cohort, but in fact the flow out of the OAC system in Ontario in 2003. In 2001-02, there was approximately a 2% increase for enrolment growth in the budget. There was a 0.3% increase for key performance indicator funding and accountability in the post-secondary system, as well as a 10% increase in the northern grant. That seems to be a substantial increase. There was new funding of \$33 million to double the number of entries into the apprenticeship system to, essentially, a level of 22,000 annually, and over a five-year period, a \$50-million apprenticeship enhancement fund to upgrade and enhance equipment and facilities. There was another \$60 million for a new Ontario Institute of Technology at Durham. Of course, the Public Sector Accountability Act impacts colleges and the university system as well, and there was an announcement of deferred maintenance for \$140 million this year.

I'd like to speak to the nature of these items, to put some perspective on them. College funding in 1990 was \$772 million. It was based on 122,000 funding units—that's full-time-equivalent students—for essentially, with the mathematics, \$5,775 per student. In 1999-2000, the budget was \$692 million. There were about 200,000

students, and the funding unit was \$3,474. If you put inflation on that—very low-level inflation—the actual grant is \$2,951 per student. So from 1990 to now, we've gone from \$5,775 per student to \$2,951 per student.

PricewaterhouseCoopers, in a report that was tabled with the Investing in Students Task Force on post-secondary education in February, noted that the college system in Ontario is the most efficient institutional system that exists in the country. So the colleges have addressed the financial impacts that have been placed on them and recognize the need to ensure that there's fiscal responsibility within the system and within government. However, there are some substantial facts that also come out of that report; one is that Ontario now funds its system at 60th out of 60 North American jurisdictions. It's not a fact that one should be proud of.

At what price did these efficiencies occur? They occurred from a cut in instructional hours, increases in class size, changes in program offerings and positions lost. But there comes a point when economies of scale have been reached and growth can't happen at the level of funding that's provided. The cost of growth is in facilities, it's in faculty and it's in resources. The budget allocation is on the basis of future growth, not on the basis of addressing the size, so we have a bit of a problem here.

What we note, as well, is that the programs we implement within the college system have to be at the level of the skills, expectations and outcomes that industry has, because we prepare people for industry. That's our role. The cost of mounting new programs is about three times the cost of changing from a program that we currently have, because of the nature of the new programs, all based on logic control. What can I tell you? At the funding levels we currently have, this growth that's been funded is certainly not adequate.

I just want to speak to the college funding model in northern communities. Essentially, the model for colleges that has been put in place has a fixed amount of dollars, so the more students who enter, the less money we get per student. The growth that occurs has occurred essentially in the greater Toronto area. That's where the major growth is, in the high population areas; not in northern Ontario, not in rural Ontario, but in the major centres. So what occurs is that we have a mixed blessing. When they grow, we lose money, and when they grow they do not get sufficient money to fund the growth, so it's not assisting any of us.

In any case, in the northern communities, since 1996-97, northern colleges have lost 1% of the market share of the college system. While some of us grew, we didn't grow as fast as some of the other areas. We lost 1% of the market share and that translates into a \$6.32-million annual loss in operating grants to northern colleges. If you were to look at the northern universities, which also have a northern grant proportion, you will find that the same thing is occurring. Growth in the GTA outstrips growth in all of rural Ontario put together and, of course, is what has caused some of this problem. What has

occurred essentially is a transfer of the \$6.32 million out of the north and into the system in other areas.

The northern grant was developed about 10 years ago to address this anomaly of growth in the larger regions and the mandate difference that exists in a northern community for its college system. One has to address economic development and other issues, as well as the level of education that needs to be provided in these areas. As a note, it was addressed at \$4 million. A 10% increase in the northern grant for this year, announced in this budget, was a good first step, but it brings the grant from \$4 million to \$4.4 million, far short of addressing that \$6.32-million loss that occurs as a result of growth in another sector; not a loss of enrolment in the north but growth in another sector. If you were to take that amount of money and look at it from an inflationary aspect, the grant essentially should be \$11.32 million, if we looked at it at 1991 levels. It is not an amount that would cause the Ontario government not to balance its budget but an amount that would make a substantial difference to the level of services in post-secondary education in northern communities. It's a matter of choice.

In 1999-2000, there was a major announcement through SuperBuild that provided funding for addressing double cohort and enrolment growth, new funding needs and new facility needs. The announcement of \$140 million for infrastructure in the post-secondary system is made up of a \$100-million one-time adjustment and a \$40-million ongoing budget item. This is a positive move. Colleges will get approximately \$50 million of that \$140 million. The rule of thumb in the post-secondary system is two thirds to universities, one third to colleges. However, our deferred maintenance costs are estimated at \$317 million. What I would indicate to you is that there's a need to continue the program at least at this \$140-million level for the next six years if we are going to address just what we know now to be deferred maintenance.

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The skills initiative was a very positive one for Ontario and the north. The Conference Board of Canada notes that by 2010 more than one million jobs will go vacant due to a lack of skilled technology and trades workers. The engine of Canada's economy, as you know, in this sector, is Ontario, so many of these jobs that go vacant will be in this province. Studies by HRDC note that 70% of the new job growth that's occurred has been through immigration over the last five years and could go as high as 100% through immigration by 2010.

One of the initiatives taken was an investment to attract young people to the skilled trades. A \$33-million announcement was made to increase the number to 22,000 people in the skilled trades area. If you do the math on that, you can appreciate that you're not going to meet the needs of the industry, but at the same time it's a very positive step. There was also an investment to ensure that the public college system is market-ready. That has been occurring through partnerships with industry which have been blossoming and also the investment of

the \$10 million per year over five years for a capital equipment fund. These are steps in the right direction that occurred in the budget.

Mr Chair and committee, I have a message for you. The post-secondary system's ongoing operating grants are inadequate to address growth that is anticipated and, for that matter, the continuance of the system at the level that's occurring. It doesn't address inflation or additional costs and it will not allow us, in the long term, to be able to meet the needs of Ontarians and Ontario competitiveness. The issues that face northern and rural post-secondary systems must be addressed by an adjustment in the northern grant. It is not a substantial amount of money, but on principle and on choice, it is a substantial effort that could be made with a small amount of dollars. The investment in facilities renewal must be committed to for a substantial period of time if we are to address the maintenance issues of the system. And the investment in apprenticeship and skills announced in the budget is a positive first step in addressing what will be a critical human resource issue in the next several years.

One of the matters I didn't address is the Public Sector Accountability Act. I note that the college system has operated within the intent of this measure for most of its 30-year history and expects to continue to do so. It finds itself, however, in the context of inadequate funding and a fixed tuition that is set by government at 2% up to 2005, having to beat the market for additional dollars in order to support itself. Whether it can continue in the future will depend on the response and recommendations of your committee and the response the government makes to the issues that are brought forward. Thank you very much.

The Chair: We have two minutes per caucus. I'll start with the official opposition.

Mr Bartolucci: Frank, thank you very much for your very balanced and fair assessment of the budget, I thought. I'd like to zero in on the differences in per pupil funding through 1990 and now. It is roughly, when you consider inflation, approximately \$2,900 per student. That has an enormous impact on your programming and your availability to deliver programming. How would you assess the future of Cambrian College if this isn't addressed in a substantial way?

Dr Marsh: Very simply, what it means is that if we cannot generate revenues of our own outside of what are the normal post-secondary services we provide for our students, then we have a number of choices. We will either cut more programs and reduce the level of staffing we have, at a time when we are expected to have potential and significant growth as a result of the number of graduates coming out of high school, particularly during the double cohort year, or we will be caught making a decision that will run a deficit in the system. That's the choice we will deal with, as you know, under our act, with our minister. But we won't be making the investment in equipment, maintenance and all the other things that are necessary to provide people with the skills they need for the workplace of today.

Mr Bartolucci: We have a world-class centre with regard to our special-needs centre at Cambrian College. Probably it's the model for anyone in the world to follow. What type of constraints are you facing with regard to that excellent programming?

Dr Marsh: To give you a sense, we have at the college more than 700 students who access the centre as part of their regular program. These services got impacted in the same way. I guess the choices and decisions you have to make are based on the level of education and services you provide. If you have to make cuts, they're broad. We try to maintain, as the first level of decision-making—because students are our clients and that's the reason we are here. The ones which least impact them are the decisions that we would make. Eventually, though, there comes a spiral that you get into.

Ms Martel: Thank you very much, Dr Marsh, for attending today. I just wanted to be sure that I had your numbers correctly. Over the decade, the system went from \$772 million to \$692 million?

Dr Marsh: Yes.

Ms Martel: That's a cut of about \$80 million. At the same time, you went from 122,000 funding units, full-time equivalent, to 200,000 students, so 78,000 more students. And if I got the grant correctly, it was about \$5,775, down to \$3,474. I went with your higher number and not the number for inflation. That's a cut there of about \$2,300 per student over that course. Do you feel confident about your numbers?

Dr Marsh: Yes.

Ms Martel: Very confident?

Dr Marsh: Yes.

Ms Martel: OK, because I'm sure the minister would challenge some of those numbers. I just want to make sure you feel very clear about them.

Dr Marsh: They are reported by PriceWaterhouseCoopers and, as well, KPMG.

Ms Martel: Is that a recent study?

Dr Marsh: Yes, the Task Force on Investing in Students, February of this year.

Ms Martel: How much more money in total would the northern colleges need to have the northern grant adjusted so that you could do the job you're supposed to?

Dr Marsh: The northern grant alone, as I said, if it were brought to the 1990 level, would be \$11.32 million. That would include inflation. If it were brought to somewhere in the order of \$9 million to \$10 million, that would take the inflation factor out. We are not talking substantial amounts of money at all.

Ms Martel: You've made this case to the minister?

Dr Marsh: We have made this case, and it was addressed by a 10% increase this year. I think it is the largest increase that was given to any sector.

Ms Martel: Were you given a guarantee that you would see a similar increase in the next number of years to bring you up to where you need to be?

Dr Marsh: I found in public life that there are no guarantees.

The Chair: The government side.

Mr Hardeman: Thank you, Doctor, for the presentation, particularly for the balanced presentation as was mentioned across the table about the good and the not so good as you see it in the budget, recognizing the solid investments that are being made this year in operating but even more so in building more infrastructure and paying for some of the deferred maintenance that's been going on in the college system for some time. Regarding Ms Martel's question, I just wanted to know very quickly, the reduction in support from government over those years, did the college also reduce spending per pupil by that same amount?

Dr Marsh: Generally there were two things that occurred. Of course, the first is that tuitions increased a significant amount during that period, but there were significant reductions in the amount of spending. Tuition would have increased by somewhere in the order of 200% over that period, so more than double.

Mr Hardeman: The other thing—and I would be the first to agree with you that much more needs to be done—

Dr Marsh: I should tell you that the other part was that there was a significant amount of ancillary income, which is the income that colleges particularly receive for doing community training, training for industries on a private basis, activities in the international world and so on. So that did offset some.

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Mr Hardeman: I appreciate that.

I think it's important to recognize the deferred maintenance. It's an area where quite often we get caught up and, if we haven't got quite enough money to make ends meet, we defer the maintenance.

Dr Marsh: Exactly.

Mr Hardeman: Eventually it does catch up with us all, and that's why I'm happy to see there is some recognition of that in the budget. I can assure you that further consideration will need to be given to deal with that.

The Chair: With that, Mr Hardeman, I must bring it to an end. On behalf of the committee, thank you very much for your presentation this morning.

ELEMENTARY TEACHERS' FEDERATION OF ONTARIO, RAINBOW TEACHER LOCAL

The Chair: Our next presentation is from the ETFO, Rainbow Teacher Local. I would ask the presenter or presenters to come forward and state your name for the record. On behalf of the committee, welcome. You have 20 minutes for your presentation this morning.

Ms Pat Gordon: Good morning. My name is Pat Gordon. I am president of the elementary teachers of the Rainbow district.

The Elementary Teachers' Federation of Ontario, Rainbow Teacher Local, represents approximately 600 teachers in 47 work sites across the Sudbury, Manitoulin and Espanola area. These teachers work tirelessly on behalf of their students to provide quality education for

all children within their school community. We strongly oppose the use of public funds for private school tax credits as proposed in Bill 45. A policy passed at the first annual meeting of ETFO also supports this position.

We do not deny that parents have the right to send their children to private schools. However, public money should not be used to fund private choices. The public education system was established to ensure that all children were provided with quality education free of charge. This was one of the foundations of our modern democratic society.

The members of the Rainbow Teacher Local believe that our public investment should be directed to improving the public education system rather than using it to encourage attendance at private schools. We believe that equity is achieved in a strong public system that provides free access to high-quality education for all children.

We believe in an education system where every child is valued, regardless of race, class, gender, sexuality, ability, religion, creed, family status or belief system. We believe that the public education system is the foundation for a democratic and prosperous society, one that is the prime source of integration in our multicultural society. Our public schools teach and practise equity.

Private schools follow their own rules. They do not have to accept all students who apply, they do not have to hire qualified teachers, they do not have to follow the Ontario curriculum, they do not have to use the provincial report card and they do not have to administer the provincial standardized tests. No accountability to the government is required, but \$300 million of public money will be supporting them through the proposed tax credits. There's something very wrong about that picture.

The government is misleading the public by claiming that it is putting more money into education. Since 1995, adjusting for inflation and enrolment, over \$2 billion has been cut annually from the publicly funded education systems in Ontario. Cumulatively, this amounts to almost \$10 billion. A June 14 *Globe and Mail* article stated, "On average, public boards now spend \$741 less on each student in real terms than they did in 1997."

This has had a dramatic impact. Our teachers know first hand how funding cuts have impacted on their classrooms and on the children they teach. They continue to cope with insufficient textbooks and other learning materials for students and insufficient resource materials for teachers. They continue to cope with school closures that have caused communities to lose their neighbourhood schools for no other reason than funding cuts. I think anybody who has gone through a school review program or who has lost their community school will attest to the fact that it's very heart-wrenching. It's very difficult on everybody involved; not just on teachers, not just on the school board but it's extremely difficult on children.

They continue to cope with class sizes that are too high for effective learning. We have some schools that have smaller classes, admitted, because we have a very

broad area that we're working with, but we also have some classes that are dealing with very large numbers.

They're coping with a loss of special education programs, resulting in more special-needs students being returned to the regular classroom, often without adequate support. That doesn't even address the fact of the students who are in the grey area and who perhaps need extra help but don't fit the funding formula to get the money for it. It doesn't address those children who are now needing extra support because of the curriculum. It's not available to them through resource teachers.

They continue to cope with more fundraising being required, sometimes just to buy resources for the school or additional things that will help the children, such as software for computers. They continue to cope with cuts to secretarial and custodial times, and with insufficient funds to replace teachers when they're absent. I can tell you that's one of the things that is most troubling to teachers right at this moment. The stress level is very high and quite often they find they're not able to be at school because they are ill. There just isn't enough money in the board budget to ensure that there is a qualified teacher all the time to replace them.

An intermediate teacher told me recently that she became a very popular figure in her school after attending a publisher's workshop promoting a new geography text that would support the new curriculum. They've had to wait a fair bit of time to get this new geography text because I gather these texts have not been available up to this point. It's very difficult to teach a curriculum without having the support material. Having been a teacher in the classroom until just this past year, I can tell you that trying to run around and find all of the material you need to fill in a unit that addresses the new curriculum is very time-consuming and almost impossible to do when you're dealing with the number of curriculum changes we've had.

At the end of the workshop, several draws were made and this teacher won \$1,000 worth of this new text. She was very excited. But why was she so popular with her colleagues and students? Quite simply, they would now have at least one class set of geography textbooks to use even though they would have to share them with two other classes. Her students felt it would be a marked improvement over having a partial class set that required them to share with another student. This is what the school had proposed being able to fund as far as the geography text was concerned.

I had to share 15 science textbooks at one point with two classes. That was fun. It was quite an exercise in creativity, I have to tell you.

School closures have become an unwelcome reality, for no other reason than lack of funding. We have lost several small community schools in the past few years and can expect to see the trend continue unless some funding changes are made.

In an effort to replace or add some needed resources and programs, the Rainbow District School Board will be forced to use 50% of its reserves in 2001-02. The only

other option to meet the budget shortfall was to close a large number of schools. They chose to close as few as possible and to use some money from the education reserve fund, but what will happen next year?

To now propose taking at least \$300 million from public finances to give to parents for private school tuition is objectionable. This money should be used to improve the public education system. It could be used to put programs back for students. It could keep smaller schools open. It could provide needed resources. It could be used to enhance public education. It is public funds.

When fully implemented, this latest move will encourage more parents to remove their children from the public education system for a variety of reasons, including getting away from the damage being done by the lack of funding and other education policies of this government. For every student who leaves the public system, the government will save money, up to \$3,500, and this, we think, is the government's real agenda: saving money.

For every student leaving the public school system for a private school, approximately \$7,000 would be lost. Consider the loss if 10 children were to leave. Think of what this \$70,000 could provide: several class sets of textbooks, computers and software, or perhaps even help keep a community school open. In this board we are already experiencing declining enrolment. Further erosion of the student base would be detrimental to the public system.

Parents should be able to rely on the public education system to provide the high-quality education they want and deserve for their children. This government's attacks on the public education system have been unrelenting. The private school tuition tax credit is clearly designed to further destabilize public education and pave the way for significant expansion of private education in Ontario.

We do not want a two-tier education system. We want a strong, high-quality public education system accessible to all, not just for today's children but for future children of Ontario. They deserve it. We call on this committee to recommend that the education tax credit provision of Bill 45 be removed. That would be a responsible choice.

Thank you for allowing me to speak with you this morning.

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The Chair: Thank you. We have approximately three minutes per caucus. I'll start with Ms Martel.

Ms Martel: Thank you, Pat, for being here this morning. Except for this year, how many years have you been teaching?

Ms Gordon: In total, probably over 30, taking in classroom teaching and supply teaching.

Ms Martel: Can you describe to the committee what changes you may have seen over that time? I'm speaking particularly about a full-time to a part-time principal and shared principal, whether or not the schools you've been in still have libraries, art classes, music programs, part-time or full-time custodial staff, resource teachers in a classroom or not in the school at all. Can you talk to us

about those changes and pinpoint, if they are dramatic, when they became dramatic?

Ms Gordon: Probably the most dramatic changes came when this government came into power and we lost as much money as we did in the education end of things, and certainly the other reforms that were being put into place were put in very quickly. I can remember being told that the new curriculum was going to be introduced in one year, but we didn't get the curriculums they were introducing until the day after school finished in June. Our understanding and the public's understanding, according to news releases, was that this new curriculum was going to be put into place the following September. So first of all, we didn't even have the curriculum in our hands to take a look at, we had no in-servicing, we had no backup materials, that sort of thing.

Another thing I've noticed happening here is that we don't have full-time principals in our schools. We have principals who are often in the classroom, so they're not available to handle problems. More and more teachers are having to deal with students who would normally have been in a special class, learning better social skills, shall we say, having some kind of support for learning difficulties they might have. They're now back in the classroom because we don't have the funding for special ed, and the classroom teacher has to program for them, often without very much support.

Ms Martel: What's the impact on parents?

Ms Gordon: I remember talking to a parent not too long ago who wanted to know when they would graduate from school, because they were having to do so much work with their children at home. They were doing homework for quite a lengthy period of time and the child was only in grade 3. That was so the curriculum could be followed, and of course with grade 3 testing there's also that push there, to make sure the children have all the necessary equipment and information they need to be successful on the test. Probably the parents are very nervous in some ways as to how their child will perform on the test as well.

The Chair: Thank you very much. The government side; Mr Gill.

Mr Gill: Thank you for your presentation. In my region, the region of Peel, we've had some school closings and some school openings. I see, maybe not in your numbers, but I've got some numbers from the clerk's office—the enrolment in the Rainbow District School Board in the last four or five years has decreased by 2,100 pupils. Do you think that has anything to do with the closing of the schools?

Ms Gordon: Any decrease you have, yes, is going to impact on whether the school remains open or not. If the funding isn't there to keep our smaller schools open—some of them are in outlying communities, and some children are going to have to travel long distances to come to school. If their enrolment declines, yes, I would think they'd be put on review. It takes a very creative board to be able to say, "No, we're going to keep this one

open and we're going to have to find the money elsewhere."

Mr Gill: Naturally, if the enrolment is lower, the schools will close?

Ms Gordon: We happen to find ourselves in this particular situation, but I believe it's because of the funding available, not totally because of declining enrolment. What I am trying to say to you is that we're dealing with a spread-out area rather than a concentrated area of students. It's not as easy as just saying, "We can take the students from school A and move them down the street to school B, and they're not going to lose out on their community experiences there."

Mr Gill: In your last 30 years as a teacher, I suppose you've had a great career in teaching. You talked a little bit about class size. In your opinion, what is the ideal class size? I know people say 1:1 is ideal or that 25:1 is ideal. In your opinion, what is the ideal class size?

Ms Gordon: If I was teaching in a primary classroom I think I could be quite excited if I had a class of 15, because I know I could get to these young children and give them the attention they deserve so that later on in life they're not going to have perhaps the problems that might be there with learning, especially if I didn't have the opportunity for more contact—not one-on-one necessarily, but more teacher-student contact.

I was teaching in a grade 7 and 8 class, and one year I had a class of 37 in grade 7—very challenging, I have to tell you. It was in an inner-city school, children with very high needs—wonderful children. I enjoyed teaching there and I'm looking forward at some point, hopefully, to going back to that school. But with 37 children, with the needs they had, it was an impossible task. At the same time, we were implementing new report cards, we were implementing new curriculum. It was very, very difficult.

Had I stayed at the school this year—and it was just the way things were organized. It's a dual-track school, with French immersion and a regular program in it. I had moved from regular program to the French immersion, where the enrolment was a little less. I would have had a class of 20 or 21. I would have been very excited and happy to have had 20 or 21 kids in a split grade 7 and 8.

The Chair: The official opposition.

Mr Kennedy: Maybe I can help the member opposite. The total amount for your pupils in elementary is about \$819 less each, notwithstanding enrolment drops. There's no question that the government has a peculiar standard that would hold remote schools as part of the same space that would impact students in, say, downtown Sudbury, that it would be part of the same consideration. That's why schools are closing.

It's interesting that the member opposite did acknowledge that if people leave to go to private schools, it will close schools. We appreciate the member opposite at least acknowledging that's part of what the policy is for.

I wonder if you, in your work, have come across the 2001 tracking report yet, which was published by People for Education.

Ms Gordon: I haven't seen the whole report, no. I have heard some bits and pieces, but no.

Mr Kennedy: Maybe you can give me a quick reaction. These are surveys filled out by some 800 schools across the province. They indicate that while the average number of special ed students is up from 33 to 36, the number of special ed teachers is down from 2.4 to 2; that there are more schools than ever before without full-time principals and more have part-time principals; that educational assistants are down; that the amount of money in fundraising has gone up consistently; that custodians are down another 12%; that secretarial support services are down 7% in the last year or two. This is the experience: a degradation of the support available in elementary schools. I wonder if you could comment on that for us.

Ms Gordon: I think your question had to do with the report and how it has affected the public schools.

Mr Kennedy: The evidence that's been collected around the province, yes, and how you find it in your board.

Ms Gordon: As I said before, we have schools that don't have full-time principals. We have secretarial staff whose times have been cut. That certainly impacts on parents being able to get hold of somebody at the school on the front line. Sometimes you get an answering machine because people are busy in the classroom or the principal is busy in the office—or maybe in the classroom; you can't be sure. Special education resource time: our board this year is putting extra money into special ed, and I would assume that's where a couple of very needy schools did manage to get some extra resource time to help deal with these children.

Mr Kennedy: Just a quick question. I didn't want to stop you from listing that, but just very quickly, reflecting on what the parents and children in Sudbury need, do you think they would rather have this private school credit or, say, a class size cap of 20?

Ms Gordon: I certainly think they would like to have small class sizes.

Mr Kennedy: It's about the same cost province-wide, \$300 million or \$350 million to cap class sizes in primary grades at 20, which is what we have proposed, or to give public money to private schools.

Ms Gordon: Smaller class sizes would be far more helpful to our parents, I believe, than giving them a tax credit for private school tuition.

The Chair: We've run out of time.

Mr David Ramsay (Timiskaming-Cochrane): Mr Chairman, on a point of order: I was wondering if we could make a request through our research here, ask the researcher to find out from the Ministry of Education how many hours a day they feel it's appropriate for a grade 1 student to be travelling on the Trans-Canada Highway in northern Ontario to attend school. Maybe we could find that out and see if there's a standard there.

The Chair: OK. We'll try to get that information for you, Mr Ramsay.

On behalf of the committee, thank you very much for your presentation. This committee is recessed until 1 o'clock this afternoon.

The committee recessed from 1201 to 1302.

SILVERCREST CHRISTIAN SCHOOL

The Chair: Good afternoon, everyone. I'd like to bring the meeting back to order. It is 1 o'clock. Our first presentation this afternoon is from the Silvercrest Christian School. I would ask the presenter to come forward please and state your name for the record. On behalf of the committee, welcome. You have 20 minutes for your presentation.

Mr Rob Duiker: Thank you for the opportunity to speak with you this afternoon. My name is Rob Duiker. I'm the principal of Silvercrest Christian School in Wasaga Beach. Our school serves the needs of children from junior kindergarten through grade 8. The assortment of gifts, virtues, learning needs and behavioural needs with which our teachers must deal is similar to the variety experienced in most public schools. In fact, some of our students have come to us because they have needs that their previous schools had difficulty meeting. The occupations and income levels of the parents are also quite varied. Most of the families who comprise our school community struggle to pay the annual tuition, which is \$6,800 per family. To keep the tuition affordable, we do a great deal of fundraising and watch our expenses very carefully. We have been blessed with qualified, creative, resourceful and committed teachers, who take home considerably less income than do their public school counterparts.

I attended independent schools myself as a child until the financial misfortune of my father's business in the late 1960s made continued attendance impossible. My parents were forced to register me and my siblings in a school system which taught inconsistently with our culture. We could not participate as fully in our culture as did others we went to church with, shopped with and worked with. My focus, as we discuss the tax credit proposal before us, will be to contend that the existence of funded independent schools is a tangible sign of a healthy multiculturalism.

I have lived in the United States while teaching native American children on a Zuni reservation in New Mexico. Through this experience I have become acutely aware of the cultural distinctions between Canadians and Americans in terms of the ways in which we treat minority cultural groups.

The system of schools in the United States was designed to contribute to the creation of a citizenry of loyal Americans. The founding fathers of the United States set in motion a plan whereby one American culture would be shaped. The schools would provide the heat for the American melting pot of cultures. Schools would successfully transform a wide cultural diversity into an English-speaking citizenry, with a decidedly American view of history and an assertive nationalistic zeal.

Similarly, Canada has attempted to create a system of schools which reflects its cultural goals. At the time of Confederation, our new nation consisted of a predominantly French-speaking Catholic population in Lower Canada, while mostly English-speaking Protestants lived in Upper Canada. Our founding fathers determined that English and French language rights ought to be protected in the Constitution with the establishment of Catholic and Protestant schools. This reflection of the bicultural character of Canada continues to this day with the presence of government-funded Catholic and Protestant schools in Ontario and Quebec.

However, the direction of Canadian culture underwent a considerable transformation during the Trudeau years. The impact of these changes is still being felt today as we become an increasingly multicultural country. It is now expected that people who live in Canada are able to retain their language and their religion, as their culture is protected and honoured. It is important that we have a system of schooling that acknowledges and upholds this present Canadian cultural reality. Education in Ontario must keep stride with the advancement of Canadian multiculturalism.

We are happily moving beyond the thin edge of the multicultural wedge as we hone a Canadian culture that is not characterized by our similarity to one another or by our like-mindedness. Instead, we seek a country where we honour and respect each other's cultural distinctiveness. We must continue to recognize, as our forefathers did, that our system of schools is an important conduit for the cultural vision we have for our nation. We must continue to move beyond our two-schools system, two-culture model, to a more innovative and truly Canadian approach. The province's announcement of a tax credit for independent school tuition can be seen as a brave step toward a truly multicultural Canada.

While I fully support the tax credit idea, I would like to respectfully suggest two changes for your consideration so the needs of my school community are addressed.

First, to dispel the notion that this is a tax credit for the rich, I propose that the tax credit be available only when the total tuition is equal to or less than the actual per student cost of education in the local school district for the current year. The schools generally referred to as elitist typically charge tuition which is far in excess of this amount.

This type of safeguard against funding for elitist schools finds its precedent in British Columbia, where similar limits are in place. This committee has heard testimony that funded independent schools in British Columbia are all elitist. Nothing could be further from the truth. I personally enjoyed working as a teacher and a principal in British Columbia for a number of years and am familiar with the funding formula in place there. Independent schools, to receive 50% funding, must be able to show that their per pupil costs are no less than the actual amount of funding received and no more than the per pupil cost in the local school district.

This type of limit lacks the awkwardness of a means test. A means test would require the imposition of a definition of the word "rich" in terms of income. With all the local cost-of-living variations and the varieties of ways of earning income, a fair means test would be virtually impossible to formulate. It is far simpler to measure a school's tuition than a parent's ability to pay tuition.

Second, in order not to promote higher tuition rates, I propose that the credit not be expressed as a percentage of the total tuition but rather be a flat, per student amount. As I understand the current proposal, the maximum tax credit will only be achieved when the tuition is \$7,000 per student or higher.

To be fair, the size of the tax credit should not be dependent on the tuition amount. Each student is equally valuable, and we would very much like to see a policy in place that demonstrates that.

My parents-in-law raised eight children. Each child spent eight years in independent schools. My father-in-law worked as an auto mechanic as he faithfully paid his tuition and fed the many mouths around his table. My mother-in-law worked as a homemaker. In 2001 dollars, with education costing about \$7,000 per year, this tradesman saved the public education system of this province the equivalent of about \$448,000. One can only imagine how many pairs of skates and new bicycles those kids did not get as a result of those tuition payments. In spite of that, my wife still actively participates with me as we seek Christian education for our children.

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One and a half months from now, my family will be moving to another part of the province to work in another independent school. Since my own children will be attending both an independent high school and the independent elementary school where I will be working, the total amount I will pay in tuition will be approximately a quarter of my before-tax salary. At the same time, I will be paying public school tuition in the form of taxes. My situation is not all that unusual. Many parents in this province live in humble homes, drive old cars and work many overtime hours in order to have the opportunity to pay both public and independent school tuition.

But there are also others. Many people visit our school and long to see their children in our classrooms. But sadly, try as they might, the cost of independent schools is out of their reach. Today we are working toward a solution to their plight. Now, some of our friends who believe passionately in one public education system will ask, "What plight? Is the public system not good enough for you?" Indeed, Ontario has an excellent system of public schools filled with committed teachers who love their students. To help you understand the commitment of parents to independent schools, I offer this illustration.

A young woman who was new in town went shopping for a pickup truck at the only car dealer in town. She said, "I'd like to see some pickup trucks." The salesman said, "All we have are model Zs. It's a car designed for everybody. It's all you will ever need." The woman

responded, "No, thank you. I need a pickup truck for my small business." The salesman became irritated: "What? Is the model Z not good enough for you? I'll have you know my whole family drives model Zs. In fact, everybody in this town drives one." Departing, the woman said, "Sir, I believe the model Z is a fine and versatile vehicle, but what I want and need is a truck."

You see, most independent schools are not like a Jaguar or a Maserati or a Rolls-Royce. While you would be hard-pressed to find an independent school of low quality, most of them do not intend to be academically superior or elitist in any way. They are simply different. They are designed to meet the educational goals of a specific cultural group. They are designed by parents who hold the best interests of their children at heart. And they are designed by parents who hold the best interests of Canada at heart.

Most independent schools have proved over the years that they prepare young people for a productive and positive role as citizens of this great country. But more than that, typically our students show great love today for their neighbours and their neighbourhoods as they play road hockey, tidy up streets, participate in minor sports, visit the elderly, hold down part-time jobs and have friendly conversations across the back fence. They are able to do so, in great part, because they have a clear understanding of who they are culturally and the role they are called to fill in this world. Most independent schools have encouraged young people to be stalwart and gentle citizens for a prosperous and multicultural Canada.

In closing, I would like to draw your attention to an interesting item from the Ontario Secondary School Teachers' Federation's submission to this committee, as found on their Web site. It says, "Today, OSSTF takes pride, as should the citizens of Ontario, in the fact that 95% of Ontario's students attend public schools—the highest percentage anywhere in the free world." If we agree with the OSSTF, given the current situation, where public education is the only choice for people of limited means, the things of which we actually boast are the financial chains which bind people to public education.

Let's change that. Let's trust parents to make wise choices for their children. If we then have a public education system that 95% of the population has freely chosen for their children, that indeed will be something to brag about. However, I would far rather reserve my boasting for that great day when 100% of the children of Ontario are financially able to attend a high-quality, culturally appropriate school of their parents' choice.

Thank you for allowing me this opportunity to speak on this very important and timely subject, and thank you all for the brave steps taken to introduce fairness to education funding in Ontario.

The Chair: We have two minutes per caucus. I'll start with the government side.

Mr Hardeman: Thank you very much for your presentation, a very well-prepared and well-presented presentation that deals with the issue as it relates to your

particular situation, your involvement in the education system.

One thing that has come out a number of times during the hearings is presenters putting forward a proposition that this will see a great change in the student population from the public system to the independent system. The concern, of course, is that this will happen and that the system you're involved with is not accountable and the students will then not have an accountable education, as they have a right to expect in the province of Ontario. Could you tell me a little bit about what you think makes your school accountable to the parents and the students in your system?

Mr Duiker: Yes, I'd be pleased to do that. Our parents, by the very fact that they have chosen this school and are supporters of school choice, tend to be, shall I say, a tough bunch on teachers. They have very high expectations, partly because they pay tuition, I suppose, but they are very involved in the school and we are accountable directly to the parents. That's probably the highest form of accountability that exists in the school system. If we fail as teachers in our school, we don't just hear about it from school principals who are watching us, but we hear about it directly from parents, and the parents have a direct function in the governance of the school. So we have a very close-knit relationship, parents to teachers. We work as a team. That works very well.

The Chair: The official opposition.

Mr Kennedy: Thank you for coming. I appreciate your being here. I know you were at the Toronto hearings and the government didn't put you in then. They finally got you here. It's a long trip from Stayner. I appreciate the sincerity of your views today.

Can you just inform the committee, what portion of the tuition paid at your school is education and what portion of it is the religious portion for the purposes of income tax?

Mr Duiker: I don't know exactly what the figures are.

Mr Kennedy: Can you give us a rough breakdown?

Mr Duiker: I can tell you that it's going to vary with the number of children you have in the school.

Mr Kennedy: Say, just for the sake of comparison, you had one child. How much of that would be a religious credit and how much would be an education credit?

Mr Duiker: I believe if you had one child, it's approximately half. I don't know exactly. I can tell you that I have three children. I received no tuition receipt when I had three children in the school. Now that I have a daughter in high school, I did receive a small donation receipt.

Mr Kennedy: Why do you think the government has designed a means of supporting, potentially, your school and the school you may end up sending your children to in the near future, but to a lesser extent your school than private sector schools? For private sector schools there's no guessing involved; they get the full \$3,500 benefit. I hear you saying in your presentation that you should put some income ceilings on, but we heard the Treasurer last week say no, that would be wrong. I'm just wondering,

do you think it's right that you're in the same boat with the well-off schools, the elite schools and so on? Why do you think the government has done that? Obviously, it's a deliberate thing. The government has put all kinds of private schools in the same boat. You mentioned culturally appropriate, you mentioned religious choice and so on. The largest number of families benefiting will be neither, and I'm just wondering, why do you think the government has done that?

Mr Duiker: First of all, I'd like to say that you guys all do quite a good job of disagreeing with one another already without my assistance. My best interests are served by a collaborative means of decision-making among you. I don't really want to judge the intent of the government. I do want to point out that I see a better way to do this, I guess. That's all I wanted to address. I don't want to say something like they have friends in high places or something like that, because I don't know.

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Mr Kennedy: I'm not asking that. I'm just curious—

The Chair: Mr Kennedy, we've run out of time. I have to go to Ms Martel. Two minutes goes very quickly when you're having a good time.

Mr Duiker: I'm sorry. I'll speak faster next time.

Ms Martel: Thank you for coming this long way. You must have driven about three hours to be here and we appreciate that.

I must confess that I don't know anything about your school, so let me ask you this question: do you accept children of all faiths at your school?

Mr Duiker: Yes, we do.

Ms Martel: So, if we're Catholic, it would not be a problem for us to participate?

Mr Duiker: That's right. As a matter of fact we've been receiving many inquiries from Catholic people lately, because there are some health concerns within the new Catholic school in Wasaga Beach, so there's a very good chance we'll have a number of Catholic children in our school in September.

Ms Martel: I didn't understand when you talked about your own situation, when you said your parents "were forced to register me and my siblings in a school system which taught inconsistently with our culture." Could you describe what that means?

Mr Duiker: While we do accept children of other faiths, our teaching is distinctly Christian. We believe that if education has anything to do with truth that different cultures have differing views of truth.

We believe the truth of what is contained in the Bible. It is, if you will, the glasses, the spectacles through which we look at the world, and we teach using those spectacles. Of course, Catholics are also Christians. We have unity with Catholics on the fact that we believe in God. I don't want to turn this into a theological thing, but—

Ms Martel: Let me ask you another question. What if you had a family who were Hindus or Muslims, Jews, would you accept all of the above?

Mr Duiker: What would happen in those cases is the children would be accepted into the school, but the parents would not be members of the school association if they don't agree with the statement of principles in the constitution. The parents would not have voting rights and the parents would know that their children are being taught from a Christian perspective.

Ms Martel: OK. Are the children excluded from various tenets of your teaching, then?

Mr Duiker: No.

Ms Martel: Why wouldn't the parents be allowed to be part of the association, then?

Mr Duiker: What has happened, in fact, is that parents who have come in have been ministered to by the ethic of the school—the love that they're surrounded with, by the fact that they can participate. They can see that there's much to admire and learn from the way that Christians run their community, the way that they have community. In some cases it has been a means by which people have joined churches and become Christians.

The Chair: We've run out of time. On behalf of the committee, thank you very much for your presentation this afternoon.

ONTARIO SECONDARY SCHOOL
TEACHERS' FEDERATION
RAINBOW DISTRICT 3

The Chair: Our next presentation is from the Ontario Secondary School Teachers' Federation, district 3. I would ask the presenter to come forward please and state your name for the record. On behalf of the committee, welcome, and you have 20 minutes for your presentation.

Mr Alexander Bass: I'd like to introduce myself: my name is Alec Bass and I'm president of district 3 OSSTF, which includes Sudbury, Manitoulin and Espanola.

I would like to begin at the outset by thanking the committee for the opportunity to be able to speak. I understand that this is getting to be quite a privilege, and although I feel fortunate that I am here and able to speak, I believe that this discussion deserves a much broader audience, and certainly the implications here with this tax credit go far beyond the simple committee's discussing it in terms of a financial obligation.

As a teacher who has taught in the public education system for 27 years, it is difficult to comprehend that any government would act in such a callous way to achieve its ends by using the lives and education opportunities of our children. I know that this particular government believes that the private sector does things better than the public, but again we're going to the ridiculous.

Public education is the right choice for all Ontarians. I believe it is the only choice for all individuals and families in Ontario who contribute their hard-earned tax dollars to fund a sound public education system which is expected to deliver quality education to their children. Public education is for the common good of society. Public education is the great equalizer within our democratic state. Public education allows universal access to

quality education despite a student's economic circumstances.

The members of the Ontario Secondary School Teachers' Federation, Rainbow District 3, believe that Bill 45 is a regressive bill targeted to dismantle public education. The Ontario government was not given a mandate to dismantle public education in the last election.

Our members believe that the initial \$300-million cost to this bill could have been better, more equitably spent on public education. Further, we believe that the \$7,000 loss for every student leaving the public education system to attend a private school because of Bill 45's tax incentives—which results in a net savings of \$3,300 per student to the provincial government—will dramatically reduce board of education funding for public education.

Imagine what a public system could do with \$300 million extra: textbooks; field trips; smaller classes for students; professional development funds so teachers could keep up with the demands and technology of rapidly changing new curriculum; cleaner schools; safe schools; more guidance centres to help our young teenagers with personal problems. The list goes on, as you've heard time and time again in the hearings already.

The problems plaguing the public system in recent years are due to the underfunding and the most chaotic change in curriculum etc in the public schools in Ontario with Bill 74 and Bill 160. A recent poll has indicated that 15% of those parents polled would consider moving their children to private schools with tax subsidies against seeking smaller class sizes, etc—the kinds of things that have been taken out of the public system as a result of funding.

Consider the impact on schools in areas of northern Ontario. I heard a comment made earlier here in terms of if one school closes because of declining enrolment that the students would just simply move to another school. That's impossible, if anybody knows anything about the topography or geography of northern Ontario. Schools aren't just blocks away from each other. They are a three-and-a-half- and four-hour drive from one another.

Last year four of our local high schools were considered for closure due to declining enrolment with this government's direct impact on funding and the impact of the new funding model based on school credits generated. Two schools did close; two communities have lost their public school system. Two have a reprieve for a year and they have to move their enrolment standards to over 500. This legislation will only exacerbate this problem. Whether there are 400 students or 600 students in a building does not change the cost of running that building: the cost of hydro, the cost of maintenance, the cost of repairs, cleaning and so on. This competition for students in northern rural areas will help no one in the education field.

It needs to be pointed out also that the funding has now been frozen and controlled totally by Queen's Park by this government's previous legislation. The public system cannot raise funds to account for changes in enrolment patterns or the various different effects that

may, in a given year, affect various parts of our group. The private system is not under these types of controls. They can raise funds accordingly and have tax incentives and so on available to them to raise these funds in terms of being able to look after their students.

Canada is renowned for its unique cultural identity. We are a cultural mosaic. Bill 45 threatens the very foundation and fabric of our society by promoting segregation. Do we as a society wish to encourage segregation of various cultures by promoting private schools? Will all students from any religion or ethnic gender be allowed to attend some of these private schools funded by everyone's tax dollars? I believe you know the answer, and I believe that the answer is no.

This proposed bill will subsidize education for the wealthy in Ontario—the same people who have already benefited the most from the recent tax cuts the government has offered up. Even Mr Harris and the education minister herself have very recently written letters indicating that to fund private schools will have a disastrous impact on the public education system.

Much of the decision revolves around extending funding to only private religious schools with the argument that the separate school system is already being funded by the public purse and therefore it is discriminatory to other religious groups. I believe that this is another argument altogether. The separate system gets its funding by government decree, and if that is to change, then proper public debate on that issue alone should follow, as was done in Quebec and in Newfoundland recently.

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As we extend funding to private for-profit schools, whether they be religious-based or not, the next step demanded will be from all private schools. How will this be monitored or controlled?

I can readily see a whole host of other applications: ICS, the school of taxidermy, YNN etc. As well, I am concerned with the impact of the NAFTA agreements on the competition in the private sector and the concern that will soon follow as all corporations try to get a part of what they see as a lucrative education market. We may, by international law, not be able to discriminate among these companies or be fined. What impact will that have? There are no controls or accountability in the private schools as there is in the public sector. What we'll have is a two-tiered education system supported by tax dollars with two-tiered accountability—one strict accountability for public schools and no accountability to the private school sector.

Public education is the glue that holds our society together. Bill 45 seeks to dissolve this glue. If the bill is passed, private schools and segregation will increase. If Bill 45 is passed, these schools will increase to such a degree that being placed in the public education system will be for the disadvantaged and the economically deprived. This is not right. This is not what Canada was founded upon. Equality is the cornerstone of our society's structure. Where is the liberty when only some will be allowed to go to the prestigious schools and the less

fortunate cannot? Is this Canada, the land of opportunity? I think not. Bill 45 is poised to take away freedoms from many Canadians and from the people of Ontario.

Ontario's public education system is the foundation of our democracy. Ontario's public schools provide a safe learning community where all cultures and ethnic groups come together to learn and to develop into tolerant, caring citizens. The purpose and the responsibility of our public institutions is to promote tolerance and acceptance of all citizens.

If democracy is to be served in Ontario, public funds—tax credits—must be used for promoting the public good, not for fragmenting or segregating one group from another. The unity and the diversity of public education must not be eroded by public funding for special interest groups. We should not have to give up a good public school system equal to all to support a private education to the few.

The following recommendations are being made:

(1) Those sections of Bill 45 dealing with the tax credits for parents of private school students should be withdrawn.

(2) The \$300 million in the Ontario budget for the tax credits should be reallocated to the budget for public elementary and secondary education.

(3) The government should hold a referendum as in Newfoundland, which asked the following question: "Do you support a single school system where all children, regardless of their religious affiliation, attend the same schools where opportunities for religious education and observances are provided?"

(4) Those sections of Bill 45 dealing with tax credits for parents of private school students be dealt with as policy of the Ontario PC Party and, if supported by the party, brought before the people of Ontario in the next election.

(5) If, after proper consultation and an election mandate, legislation subsidizing private schools is enacted, the government of Ontario should specify what, if any, protections will be put in place to prevent public schools from being fragmented and weakened.

The Chair: We have two minutes per caucus, and I'll start with Mr Bartolucci.

Mr Bartolucci: Sandy, thank you very much for your presentation. Let me just ask you a very, very brief question and allow you a minute and a half to answer. Is education in Ontario better off after six years of Mike Harris government, and how will a \$300-million to \$700-million withdrawal from education affect our already eroding system?

Mr Bass: It certainly isn't. In the 27 years that I have been teaching, I have yet to realize the stress, the concern, the lack of funding, the lack of textbooks, the lack of proper curriculum. All the things that were part and parcel of a normal, healthy education system that had been for years, since Bill 160 has been introduced, are gone. We have fragmentation in our schools. We have concerns about extracurricular. We have an overworked, stressed-out workforce. The government is the only one

that can't seem to understand some of the major issues that I hear from every sector in the province in terms of dealing with how to improve the delivery of public education.

Again, sad to say, it seems that with this new legislation we are going down another step into the darkness in terms of fundamentally changing dramatically the education system. It certainly has not improved.

Ms Martel: Thank you, Sandy, for making a presentation to us today. You have talked about this as an incentive. Why would parents in the Rainbow District School Board, either at the elementary or secondary panel, make a decision finally to switch their kids to a private school? What is happening in the classroom today that would push them to finally doing this?

Mr Bass: I think personally this is something that this government has been busy doing since it was elected. It has been steadily putting down public education teachers, it has been questioning their qualifications, it has been wondering about the abilities of certain students, testing them, and casting almost a shadow, a pall, of ineptitude, I said, in terms of public education. That has been going on, and at the same time that's been going on, I think \$2.3 billion has been removed from education. We're talking billions of dollars in the last seven or eight years.

I think that a lot of people are looking—they realize the importance of education—to different areas and saying, with so much turmoil in the public system, if they had an opportunity to get smaller classes, proper textbooks, proper equipment, properly educated teachers and so on, they believe that is in the private sector.

Again, I know for a fact the private sector is not subject to the same credentials that we need to have—they are not subject to the College of Teachers, to the testing that we already have, to the rules and the testing that is ongoing in the high school system; again, I'm talking from the secondary level, and certainly the elementary—I believe that they believe that will be there.

Again, it's the problem. The public sector is controlled by its funding envelopes and by legislation that has been put in. I don't know how the private sector will deal with that. I understand the Christian schools have recently raised \$500,000—that's a half a million dollars—to promote their wanting the tax credits to go through. The public system doesn't have access to that kind of money.

Mr Wood: You're no doubt familiar with the recent grade 10 tests in which in the two public systems about 68% of the students scored at the expected level. The students in the Ontario Alliance of Christian Schools took the same test and 82% of them scored at the expected level. Would you agree with me that shows, at least in the alliance member schools, that they're doing a pretty good job of educating the students?

Mr Bass: I would think that the Christian alliance schools may be doing quite a good job in terms of doing the reading. I guess the implication that I'm getting here is that you're suggesting that in the public system it would be much lower.

Mr Wood: No. Lest you misunderstand, I took from that that they were probably doing a good job of educating the students in the Christian system. There's no implication that somebody else wasn't doing a good job. We have to have a benchmark to compare and they seem to be ahead of the largest benchmark, which is the two public systems.

1340

Mr Bass: I can answer that by saying the school that I work at in Sudbury here scored 78% on that test. There are other schools in Sudbury that have a very high rate of special education, learning disabled and so on and so forth. Sudbury Secondary scored much lower on that test. I don't believe that particular test, administered the way it was administered, does particularly signify whether one person is doing better or not better. I think it implies that things can improve. I agree things can improve. I'm not trying to pretend that all of the changes that are coming down that this government has tried to do in education are bad. I think some of them are very positive. But there are some very bad ones.

To answer your question, I don't know that that particular test is a test that says one group is doing it any better than the other.

My concern is the funding issue. If this bill goes through, then private schools can raise funds wherever they need to in terms of correcting whatever service. They can have a class size that they determine is the appropriate class size. The public system is not privy to that. It has rules and regulations that it must follow.

The Chair: On behalf of the committee, thank you very much for your presentation this afternoon.

ONTARIO ENGLISH CATHOLIC TEACHERS' ASSOCIATION, SUDBURY SECONDARY UNIT

The Chair: Our next presentation is from OECTA, Sudbury Secondary Unit. I would ask the presenters to please come forward and state your names for the record. On behalf of the committee, welcome. You have 20 minutes for your presentation.

Ms Nina Stapleton: I'd like to thank the committee for allowing us to appear before you today. My name is Nina Stapleton. I'm president of the Ontario English Catholic Teachers' Association, the secondary unit. The lady next to me is Cheryl Chamberland, a teacher and an executive member of our union. We represent the Catholic secondary teachers who are employed by the Sudbury Catholic District School Board.

We view the tax credit as a further erosion of public institutions, such as education and health care, that Ontarians hold dear. Public school funding is based upon student enrolment, which is approximately \$7,000 per student. If the government gives parents a \$3,500 tax credit, the government will gain a profit of \$3,500 per student. It is a set-up for the destruction of the public school system in Ontario.

The Ontario government has cut \$2.3 billion from school boards over the last six years. While some schools did receive more money than they had been receiving annually four years ago, it was at the expense of other schools in large urban areas such as Toronto and Ottawa. This government is playing a shell game with its bookkeeping in an attempt to hide its real agenda from the people of Ontario.

When the Conservative government assumed power, the provincial debt stood at \$90.7 billion and today the debt has risen to \$110.7 billion. Ontarians might well ask where the money has gone, especially considering the severe funding cuts to both health care and education.

The government's plan to implement tax credits for private schools really represents a voucher system. The average Ontario family is working so hard to maintain a decent standard of living that they might not have had the time to research what the voucher system is. Using the government's number of a \$3,500 tax credit for each student going to a private school, a parent would have to top this figure up from other family funds. Given that tuitions for private schools range from roughly \$5,000 to \$40,000 per annum, and given that the average family in Ontario has two children, we purport that this would create a severe burden on average families, and many of these are trying to save money to send their children to post-secondary educational institutions.

When asked during the leaders' debate if Premier Harris favoured vouchers for private schools, Premier Harris replied he was clearly opposed to them. On April 10, 2001, Mr Harris insisted that vouchers "have never been espoused by me or the Minister of Education."

In a January 2000 letter to Mr McGuinty, the Minister of Education, Janet Ecker, said that financial aid to private schools would undermine the public system and "would remove from our public education system at least \$300 million per year," with some estimates as high as \$700 million.

A Toronto Star article on May 23, 2001, estimates the cost of the tax credit could rise to \$2 billion in five years—so up goes the provincial debt again.

To quote an article in *The Globe and Mail*, "When public school parents already feel compelled to raise \$30 million a year to buy essential supplies for the province's elementary classrooms, what noble doctrine underlines the Ontario government's decision to spend up to \$300 million annually to cushion what parents spend on private school tuitions?"

I am a parent also. I have one student in university and one currently in grade 11 in high school. I have experienced my older child in grade 10 not being able to do science homework, and when we questioned him why, he told us, "Mum, there's only one set of textbooks for science and there are five classrooms taking science at the grade 10 level, so we can't have a book to bring home." We had to go out and purchase our own textbook. Luckily and thankfully, we had enough money to do so.

I have here in my hand a letter from one of the public high schools in Sudbury, which one of our children

attends because they offer a program that our system can't afford to offer at this point in time. It's a letter of request from the fundraising committee for the Lockerby basketball association. Kids in northern Ontario are at a disadvantage. If they want to be competitive, they have to travel. They have to go to other northern Ontario cities and they can't afford to do this. They can't even afford to go to their local NOSSA meetings any longer when they have these with regard to the various events in sports, and parents have to come forward.

This letter is asking our family, as a household, either to hand over to this committee \$500 or initially to give a deposit of \$50, which will be refunded if our child does not make the basketball team. He has for the last four years, so I presume he will. It's asking us to either come up with \$500 or to raise \$500, and that is just in one area. People in the north are being short-shrifted all around. Yes, luckily we have the resources as a family to provide this for our child, but I know that countless other families will not do that. Surely all of us must recognize that if children are involved in extracurricular sports and activities, this will keep them off drugs, stop them from smoking, they will be less likely to turn to drinking and they will develop into very good citizens for the future of this province.

In my opinion it appears, though, that Mr Harris is pandering to the likes of Stockwell Day and his supporters, whose party platform espouses tax credits for private schools. Ontario has two publicly funded systems of education to which parents can send their children. It should be the priority to fund and manage these systems so that every child's scholastic needs are met. The taxpayer should not be expected to fund a variety of special interest schools when it's obvious that to do so would harm the existing systems, particularly when only the wealthy will be able to afford the private schools, even with a tax rebate.

Since the choice of a private school education is often a response to what are seen as shortcomings in the present education system, that is, the public, we would like to point out, as teachers, that the government, through the Ministry of Education, sets the curriculum and methodology by which each subject must be taught. Therefore, in many instances, the perceived failures in our education system can be laid squarely at the feet of the government.

In its usual haste, the Ministry of Education has implemented too many changes in curriculum in too short a time, with not enough planning and little in-service training for teachers. This has led to disasters such as a 30% to 35% failure rate in the new grades 7 to 9 mathematics programs, and the complete loss of suitable programs for previously basic-level students, that is, the students who will not be going to college, who will not be going to university. They are going to fall through the cracks.

I want to stop at this point from what I have printed and refer to one of the questions that was asked of the previous speaker with regard to why perhaps some of the Christian schools are doing better in test scoring. First of all, these children can be hand-picked. Any private

school can turn a child away. Secondly, in the public school systems, we had children who were taking courses under special ed at the basic level when these tests were done and those people were counted as part of the test result. Therefore, the test results were skewed.

There are some 734 private schools. Yes, I grant they came in in the top 20 in the testing. However, Lockerby Composite, which is the school in Sudbury that my son goes to, came in 49th. I went to see what some of the criteria were and how they managed to do so well. Well, in the school, they only have 30 students who are taking courses at the general level. The rest of the students in that school are at the academic and high end of academic. That's why the test results were skewed. To have this thrown back in the face of the educators, thrown back at the school boards, thrown back at the public education system I think is really misleading to the people in Ontario.

1350

We believe most people who live outside the greater Toronto area will not be able to send their children to private schools even with the tax credit. Northern communities such as Kirkland Lake, Timmins, Red Lake, Parry Sound and even schools in the Bruce Peninsula really will not be able to be in a situation to provide a viable education. All that's required, though, to open a private school is \$250 and an application form.

As was said earlier, the teachers who teach in these situations and the administration are not required to follow the Ontario curriculum. They don't have to use standardized report cards. They can choose whether or not to participate in the tests. And their teachers do not have to belong to the Ontario College of Teachers. In fact, only 130 of the 734 private institutions that provide education in Ontario have their teachers belong to the College of Teachers. They won't be required to take the government's teacher recertification testing or upgrading courses. Finally, they're not subject to any public scrutiny or public accountability. In fact, one of my teachers said to me the other day, "We wonder whether or not they'll even be subject to the police checks that other teachers are required to undergo." We believe that accountability should be required of everyone who receives public money.

In Sudbury, there are a few private schools. It appears that none of these schools, which offer full-time day programs for students, offers courses or education for children with special needs and a lower-than-average learning ability.

The specifics of some of these schools are interesting. The Learning Centre, for instance, on Bancroft Drive, has seven students and one full-time teacher. It doesn't provide for special-needs children. The Learning Centre charges tuition of \$8,000 per year. If parents want to fundraise at bingo games every 11 days or so, they can somewhat reduce their commitment to the \$8,000.

The Baron Academy, which is another private school in Sudbury, charges a tuition fee of \$7,500. This has to be paid upfront. So if something happens when your

child is in the school and they no longer like your child, or for some reason your child is having difficulty and does not want to attend the school any more, you're still on the hook for the \$7,500. I also want to add that there's a \$500 testing/assessment fee before your child would even be accepted into the school. Needless to say, they do not take children at the lower academic level.

I'd like to point out that at these schools all of the classes are split-level, that is, two grades taught by one teacher in one classroom. As experienced teachers, we know this really does not work for the benefit of the student.

At the Baron Academy they have 51 students. If you can't afford the tuition, you need not apply. As with that school, the other one and a third one that I'm going to speak about, the parents have to supply their own transportation costs. The Sudbury Catholic District School Board, the Rainbow District School Board and the two francophone boards in northern Ontario pooled transportation to get the cost down to approximately \$500 per student.

The total number of students in these schools is 138. That includes the Glad Tidings Academy, from which the fellow presented here earlier. Their tuition is \$3,500 per student, but their congregation subsidizes that so the parents really are not on the hook for any more money.

If we take a look at this number of 138 just for these three schools, it represents a loss of about \$1 million to the two publicly funded school systems in Sudbury. If Mr Harris's tax credit goes through, it will actually mean a net gain to the government of a half a million dollars. Again, we wonder where the money is going to be spent.

Under the tax credit program, if 10% of the school-children in Sudbury were to go to a private school, the two existing public boards—that's the public board and the Catholic district separate board, which have a population student base of 24,700—would lose \$17.290 million and the Conservative government would pocket \$8.645 million. Just to put it down into smaller terms, a loss of 10 students from one of our local schools represents a \$70,000 loss. However, the school still has to pay heating costs, transportation, maintenance and so on. This will bring about more school closures because the boards' hands are tied financially, especially in relation to Bill 160, which removed the rights of local boards to tax. This whole thing is going to bring about a further erosion of the fibre in the local communities in northern Ontario.

One of the presenters earlier alluded to the fact that she chose to live on the lake and hence paid higher taxes. Well, we know how many people around this province are buying bottled water but they still have to fund the public water system. So unless we're going to provide tax rebates in every case of personal choice, over and above what's provided by the public system, something that as Ontarians we know we really cannot possibly afford to do, then we should not be making exceptions for things that are not going to benefit all Ontarians. If

it's something that's going to benefit everyone, no problem.

It is very disconcerting also to see that economically poor states in the United States such as Alabama, Arkansas, Tennessee and Mississippi spent more money per student than Ontario in the 1999-2000 school year. In fact, Ontario ranked 57th out of 63 US states and Canadian provinces and territories in educational spending.

The people of Ontario well understand that we need to be socially responsible for the well-being of all the children of this province. They are our future and we must allow all of them every effort to succeed. That's the mandate of any intelligent and caring society with a vision.

We believe that Ontarians want to be socially responsible and that is why the Sudbury secondary teachers of OECTA recommend the following: the tax credit plan be withdrawn from Bill 45; the government allocate more time for debate on what can be considered the biggest shift in education in Ontario in over 200 years; and that all schools that receive public monies be fully accountable to all Ontario taxpayers. Thank you.

The Chair: We have about a minute and a half per caucus.

Ms Martel: Nina, you've been in the school system for a long time. I should tell people you were one of my teachers and that will really date both of us.

Ms Stapleton: Thanks, Shelley.

Ms Martel: Tell me, though, in the last number of years, what are the changes you've seen in the education system in this community? I want you to talk about the province. If we extend the tax credit, which will surely mean \$300 million to fund that which would have gone to the public system, what would be the impact of that loss?

Ms Stapleton: I can just speak about a couple of the secondary schools on our level. We didn't have textbooks, we didn't have a clear-cut curriculum. The teachers were trying to scrounge to put together material, but then were put on paper rations. So we couldn't even hand out runoff copies to students because there wasn't enough money in the budget to provide for paper. Consequently, the children did not get the material they needed. Furthermore, the curriculum also was not really geared to the needs of the children. It was something hastily put together, rammed down our throats, no preparation for it, and a lot of it was superfluous. The whole education concept of reform is great, but we should have backed it up to about the grade 3 or 4 level and introduced it very slowly. Then we wouldn't have the failure rate of 30% to 35% in the mathematics and science areas of testing that took place, Shelley.

The Chair: The government side.

Mr Spina: Thanks for coming before the committee, Ms Stapleton. The United Nations claimed that funding the Catholic system was discriminatory. Earlier, Doreen Dewar of the Rainbow board—I'm sure you know who she is—indicated that she felt there should be one single publicly funded system. My question is, what's the alternative? Should everyone be funded equally regardless of

faith or should the Catholic system be amalgamated into the public system? What's your opinion?

Ms Stapleton: I think earlier the fellow from Glad Tidings talked about the realities of how the Catholic system came into being, and that was through the French Canadian Catholics, who were the majority at that time, the Irish Catholics and so on, and the Protestants. So that was written in and we got the funding.

Mr Spina: But that's constitutionality. I'm asking you for your opinion.

Ms Stapleton: That's the constitutionality. I will quote to you—I don't know if you fellows have had the chance to meet Peter Lauwers, who helped to orchestrate Bill 160 for your government for a phenomenal amount of money. I had the pleasure of negotiating across the table with him in 1998, and in a sidebar conversation he said to me, "Well, you know, Nina, before we ever brought in a one-school public school system or a referendum or a voucher system, we would go to the people of Ontario and have a double referendum. We would ask if the majority of Ontarians believed in one public school system, and the majority of Catholics supported one public school system whereby Catholics could take religious classes and Muslims could take their classes and Jewish people could take their classes." He told me it was in the government's plans that that's what they would do.

I think he's pretty close to the government, because when Mr Snobelen was on television that very evening in the fall when we were all on the edge of strikes, and he made this announcement that the government would allow boards some movement within the envelope, Mr Lauwers left the room, came back five minutes later and had just been on the phone to Mr Snobelen. So I know that's how close he was to the government. So back as far as three years ago, I knew what the plans were.

1400

The Chair: I have to go to the official opposition.

Mr Kennedy: There are a number of points that are very helpful in your presentation. One that I think maybe is worth drawing emphasis to is, you indicate that if just 10% of the people in this area were able to find alternatives with the encouragement, the push being given by this government in this measure, there would be a loss of some \$17 or \$18 million. Just to put that in perspective, so far the government has taken away about \$19 million. So this measure, by itself, would virtually double the degradation of the resources and the quality of education in terms of the direction.

I think it's very important for people in the community to know that, because I think some people think this might just nibble around the edges. This could make a very substantive attack. I'm just wondering, in areas like special education and some of the other things you've mentioned, give us an idea of what could happen if you lost as much again as what already has been taken away.

Ms Stapleton: I can just give you one example about special education and special-needs children. For instance, in one of our schools, St Charles College, these

kids are in wheelchairs and they're really not on a level playing field, even within their own classrooms. Some of them are in wheelchairs, some of them are on crutches, some of them are in bed. We used to have pool time funded for these kids, to put them on a level playing field. I just spoke to the special ed teacher and they've had to raise \$1,400 because the board could no longer afford to pay for it. So the children themselves raised \$1,400 to access pool time.

But the cost you talk about, the \$19 million removed from the school communities in Sudbury, coupled with what I read now is something like another \$40-million cost to the restructuring of our hospitals in Sudbury, which the Sudbury taxpayers are going to have to take up, I don't really know what's going on. I'm beginning to wonder if this whole restructuring concept hasn't been a gift to the construction industry on the part of the government, at the expense of students and citizens in this province who are no longer able to keep up with the standard of living they've had over the last 10 years.

I read the other day that if the regular Ontarian and Canadian were to get the same increase as CEOs across this country have had over the last 20 years, the minimum wage would be \$24. That's how far behind the average person is in this province.

The Chair: On behalf of the committee, thank you very much for your presentation this afternoon.

LO-ELLEN PARK SECONDARY SCHOOL COUNCIL

The Chair: Our next presentation is from the Lo-Ellen Park Secondary School Council. I would ask the presenter to please come forward and state your name for the record. On behalf of the committee, welcome. You have 20 minutes.

Ms Mary Hewitt: My mouth is dry. I don't know why. I get really nervous when I do these. After all these years, I still get nervous.

My name is Mary Hewitt. I am the past chair of the Lo-Ellen Park school council. We really appreciate the opportunity today to present to this committee.

Lo-Ellen Park Secondary School is a community school with an enrolment of just over 700 students. We consider a well-rounded education important, with an emphasis on languages, science, technology, drama, music, art and athletics. Our school also has French immersion and, starting in September, the international baccalaureate program. Over 80% of our students go on to college or university. Lo-Ellen is located in the south end of Sudbury and services an area south along Highway 69 to Killarney and the French River. Some of our students spend over two to three hours a day on a school bus.

The Lo-Ellen school council believes that public education should deal with every student equally and justly. We feel that the proposed tax credit for parents of private school students will harm Ontario public educa-

tion. Therefore, we ask the committee to recommend to the Legislature not to pass this tax credit.

We would like to comment on four issues. One is funding. The province of Ontario cannot afford to grant a tax credit to parents of private school students when the public schools are so seriously underfunded. Their budgets have been slashed in the last few years. In 1996, the former Sudbury board of education, with a similar enrolment to the Rainbow District School Board, received funding of \$139,232,779. In the year 2000, the Rainbow District School Board continued to cut programs because they only received funding of some \$120,745,539. That is a loss of almost \$20 million in four years, with a doubling of the geographical area.

Northern communities have a resource-based economy. As companies reduce their workforce to remain globally competitive, northern school boards are consequently facing declining enrolment. It becomes very challenging, between provincial funding cuts and a declining enrolment, to offer quality education when schools are spread out over a large geographical area of 13,390 square kilometres. We believe that our board is doing the best it can with the resources at its disposal.

It has been suggested that the tax credit will cost \$300 million or more. This is money that should be invested in public schools. Last week our principal spent \$44,000 on textbooks for the new grade 11 curriculum. Lo-Ellen's share of the provincial textbook grant is \$14,000, a difference of \$30,000. Why has the Ministry of Education cut back the textbook grant for the new grade 11 curriculum? Is this money being spent to fund the tax credit for parents of private school students?

Money needs to be added to public schools, not taken away. It is frustrating for our school council to watch programs, staff, school supplies and equipment being reduced or cut altogether in order to meet the financial criteria laid out by the Ministry of Education. There is a concern that giving parents of private school students a tax credit will be the first step toward further funding.

We cannot trust the government in this. Only a short time ago, Mr Harris's government warned the Supreme Court of Canada and the United Nations that giving any money to private schools would have a detrimental impact and erode public education in Ontario. We appreciate that the Ontario government must live within its means and reduce the deficit. However, granting any funding to private schools seems to contradict the philosophy of the current Ontario government. This government has consolidated hospitals, school boards and municipalities to save the taxpayers money. We believe that a tax credit to parents of private school students will fragment education rather than consolidate it.

Our second issue is the perception of public schools. What shapes the public's attitudes towards educational issues? The OISE/U of T 1998 survey states, "A wide variety of factors shape people's attitudes towards educational institutions: their own interests and direct experiences; perspectives advanced by those they talk to

and respect; pervasive messages from the media and public figures."

We believe that the current educational reforms have sent a negative message through the media to the public, who perceive that the public education system is not meeting the needs of its students, therefore causing some to lose confidence in the public education system. The OISE/U of T survey states "In 1998, respondents are almost twice as likely to believe that high school education is getting worse than to think that it is getting better ... Satisfaction with the school system declines with age. Those under 25 are almost twice as likely to be satisfied with schools as those over 55. We find similar patterns regarding satisfaction with the value for tax money and with student discipline."

The survey continues. It shows that 70% of the public perceive that getting a post-secondary education is necessary. "A community college education is regarded as the minimum credential needed and more than a quarter think that a university degree is needed. Conversely, hardly anyone in Ontario believes that you can get along in contemporary society without a high school diploma. There is clearly a widespread belief that we are now living in a credential-based society in which an advanced formal education is increasingly highly valued."

This perception places a great deal of stress on students and parents, especially when a student is struggling in school. The double cohort and the Grade 10 literacy test adds to this stress. If a child does not pass the literacy test, he or she will not get a secondary school diploma, without which they cannot go to college or university. Instead, the student will get a certificate if they pass all their courses. There are no exemptions from taking this test, preventing many learning-disabled students from going to college or university after high school. Universities and colleges admit exceptional students who have difficulty with written communication and provide support for them. They acknowledge that many exceptional students develop skills to compensate for their learning disabilities. So why should students who have no hope of passing the literacy test stay in school when they will not get a diploma?

1410

I am quite concerned about this, because I have two children who have severe learning disabilities in written communication and they could not pass this literacy test. One was accepted at Queen's University for civil engineering and the other is at Brock University for biological sciences. I really don't think they would be there if they were under the new curriculum.

Parents want their children to be successful in school and gain meaningful employment. If parents perceive that their children will not be successful in public schools, they send them to private schools. There is an increase in students attending private schools or in home schooling, which seems to coincide with the funding cuts to education in recent years.

Public schools are not perfect. Encouraging parents to send their children to private schools will not solve any

problems in public schools, either real or imagined. We believe that a strong, properly funded public school system can meet the needs of all students in Ontario

Accountability: all schools receiving public money must strictly follow the guidelines set out by the Ministry of Education. According to the Education Act, "'private school' means an institution at which instruction is provided at any time between the hours of 9 am and 4 pm on any school day for five or more pupils who are of or over compulsory school age in any of the subjects of the elementary or secondary school courses of study and that is not a school as defined in this section." Private schools do not have to follow the Ontario curriculum or have certified teachers as instructors. In the last few years, parents, the public and the government have called for accountability for publicly funded schools. This accountability should extend to any private school that receives public money or to parents who receive a tax credit. They must strictly follow education guidelines.

All schools that receive public money must: (1) follow the provincial curriculum; (2) all students must write all provincial tests, including the EQAO and grade 10 literacy test, except where exempted for special needs; (3) all teachers must be certified by the Ontario College of Teachers and follow the "standards for mandatory professional development with re-certification every five years, performance appraisals, evaluation, and de-certification will be phased in."

Equal educational opportunities for all students in Ontario: Ontario needs a public school system that will provide equal educational opportunities for all students. Any school receiving money, tax credits or vouchers from the government must accept any student who applies. When funding was extended to separate schools in 1985, they had to accept non-Catholic students.

Currently there are four publicly funded school systems. Granting any kind of money—a tax credit or voucher system—to private schools will further fragment education. Quebec—in 1993—and Newfoundland—in 1997—no longer have denominational schools.

The multicultural society in which we live needs an inclusive education system providing equal educational opportunities and social space for all. Ontario needs to give students, parents, teachers, schools and school boards a consistent education policy that is not driven by or for business, private interests or partisan priorities. Public education must deal with everyone equally and justly; it must not discriminate against any one person or group.

In conclusion, Ontario cannot afford a tax credit to parents of private school students; all publicly funded schools must be equally accountable to the taxpayers of Ontario; public schools must be perceived as good places to educate your children; Ontario must have a public education system that provides inclusive educational opportunities that are just and equal for all students in this province.

The Chair: We have two minutes per caucus, and I'll start with the government side.

Mr Gill: On the third page, one of the things you mention is, "We believe that a strong, properly funded public school system can meet the needs of all students in Ontario." Are you saying we should have just one system and not Catholic or francophone? Is that what you're suggesting there?

Ms Hewitt: This was not an issue that was discussed at our council meeting.

Mr Gill: I just want you to elaborate on that point.

Ms Hewitt: In this document, "public school system" refers to the four public school systems we currently have.

Mr Gill: The UN said, about a year ago, that if we keep funding the way we are funding the current system, it's discriminatory to some of the other—I come from a Sikh background. What's your opinion or comment on that?

Ms Hewitt: Well, the Ontario government felt that, in response to the UN—

Mr Gill: I meant your comment.

Ms Hewitt: Yes, I know. Let me finish, please. The Ontario government made the comment that funding various denominational schools, be they Christian, Sikh or others, would be detrimental to the public school system.

My personal point of view is that we should have one publicly funded school system, perhaps divided along language lines similar to what Quebec has.

The Chair: The official opposition. Mr Bartolucci.

Mr Bartolucci: Thank you very much for your excellent presentation and for your continuing dedication to the public education system. Your presentations are always well researched and well thought out.

You will know that the Rainbow district board had about a \$2-million reduction in funding from the province this year and had to use some reserves—\$1.2 million, I believe. It's important for the government members to understand: first of all, can the Rainbow district board sustain that and, second, what is the impact when there's a severe reduction on a school like Lo-Ellen, where there are dedicated teachers, dedicated parents, dedicated students? It really is a model.

Ms Hewitt: For one thing, I know our board cannot continue to take money out of its reserve fund. Our board has been using its reserve for the past few years to maintain what we consider to be the absolute minimum that we can offer. I've had a child at Lo-Ellen since 1990. I have always been a very active member of that school community, and I see we need a lot more money. There are not enough textbooks. Our band is getting no money from the school for instruments. It is the parents who are maintaining it. Our drama department is the same. Our teachers are to be congratulated for doing the best and making everything work for our students.

By the way, our school had almost 95% of its extra-curricular or co-curricular activities up and running all year, but with the help of members of the community—many of our students with an adult support, including my daughter. She wanted to have the evening of one-acts, which have been at Lo-Ellen for 13 years, and she

organized it with a parent's support. Also, she and her friends went on to represent northeastern Ontario at the Canadian Improv Games in Ottawa. They have never had an adult coach; they have always coached themselves. An adult has always been present to make sure they behave appropriately.

The Chair: Ms Martel.

Ms Martel: Thank you, Mary, for taking the time to make a presentation today. I appreciated particularly the financial information with respect to the Rainbow District School Board, which shows a loss of almost \$20 million in four years. I didn't realize it was that high.

Ms Hewitt: I'd be glad to give you copies of our annual general report. I have a stack of them at home about this high.

Ms Martel: I didn't realize it was that high, which gives you some idea of the problems we've got in the community.

I just want to focus on accountability, because the government's budget stressed the word numerous times throughout the document and yet we find ourselves in the position that unless the government is prepared to bring forward amendments, and we haven't seen them yet, the government is not going to make private schools accountable in the same way that public schools are. You've taken some time to list those, and so have other presenters. Why do you think the government is quite prepared to give public money to private schools but not demand that those same private schools be accountable as every other teacher, school and board is in the public system?

1420

Ms Hewitt: I don't understand that, because accountability has been a pillar of their education reforms. I mean, teacher testing—all of this is new. The EQAO, I believe, is—no, the EQAO been around longer than that; my son was in it. Originally, the EQAO was just a sampling across the province, but now I believe it's in every grade 3, 6 and 9 class in the province, and they brought in the grade 10 testing. The government has shown how important accountability is, and that's why I don't understand.

The Chair: On behalf of the committee, thank you very much for your presentation this afternoon.

Ms Hewitt: I have one more thing, actually, just very briefly. I have with me a letter from the school council coordinating committee of the Rainbow District School Board. I'm not going to speak to it, but I just ask that you read the concerns they have.

The Chair: OK. I'll make sure the clerk distributes a copy of the letter to every member.

STUDENT GENERAL ASSOCIATION,
LAURENTIAN UNIVERSITY

The Chair: Our next presentation is from the Student General Association, Laurentian University. I would ask the presenter to come forward, please. On behalf of the

committee, welcome. You have 20 minutes for your presentation.

Ms Suzanne Legault: My name is Suzanne Legault. I'm vice-president, student issues, of the Student General Association at Laurentian University, also local 30 of the Canadian Federation of Students.

On behalf of the SGA, the CFS and in solidarity with all those organizations and individuals who oppose the introduction of a tax credit to parents wishing to send their children to private schools, I will be speaking against Bill 45.

If Bill 45 is passed, those sending their children to private schools would receive substantial tax credits. Like the recently passed Bill 132 permitting the establishment of private, for-profit universities in Ontario, such an initiative will undermine public education. Using public dollars to fund private schools is the wrong direction. The Ontario government itself has pegged the cost of this move at \$300 million a year. This constitutes nothing short of a direct attack on a publicly funded, quality and accessible education system.

Public schools have been severely underfunded, with over \$1,000 per student cut since 1995. An expected 330,000 students will be lured away from the public system by the introduction of this tax credit, and each lost student will represent a \$7,000 drop in provincial funding to a school. In other words, the creation of incentives for those students from wealthier backgrounds to move to private schools forces public schools to struggle with reduced enrolment and fewer public dollars.

We reject the rhetoric of choice and equity employed as justification for a voucher system. Yes, parents should have the freedom to choose where to send their children to school, but not at the public's expense and especially not with the influence of vouchers as an incentive to choose outside the public system, given the fact that public education is already underfunded.

Ontario's public school system functions to provide all students of all abilities with an equal opportunity to maximize their educational potential, regardless of factors such as race, gender, religion or economic background. Funding private schools does not create equity but rather a segregation of groups within the public community of education because, according to Premier Harris himself, funding private schools would "fragment and weaken our public education system in Ontario, thus undermining the goal of universal access to education and demonstrating an utter lack of accountability to the overall public good to which this government should be committed."

Like the majority of Ontarians, students support increased public funding for public education before tax cuts. For instance, according to a recent Ipsos-Reid poll released on May 7 this year, two thirds or 64% of Ontarians, including a 53% majority of decided PC voters, want increased provincial funding for universities and colleges even if it may mean cancelling tax cuts or reduced spending in other areas.

Students, like most citizens, recognize that a strong system of public education is the foundation of a demo-

cratic society and a vibrant economy. We are opposed to the diversion of more than \$300 million from a public system of education already in crisis. Ontario's public system of education needs new textbooks, improved libraries, smaller class sizes, music classes, cultural studies, physical education and extracurricular activities. Students with disabilities need proper attention. Adult education must be improved and expanded. Teachers and support staff deserve fair wages and workloads. Diversity and tolerance must be promoted within a single system of public education and not fragmented and lost in a segregated, two-tiered system.

The 1999 Blueprint campaign document expressed support for the maintenance of a system of public education, and Janet Ecker and other ministers have made similar statements since. A change of such magnitude should not be disguised as a tax measure and rushed through as a budget item. Fundamental changes should only take place after a thorough and comprehensive discussion involving parents, students, educators and support workers, as well as the government and general population, and should only be implemented after a consensus has been reached.

The public hearings that have been instituted provide only the fiction, but not the substance, of democratic process. They have been organized at short notice and are of very limited duration. Many individual high school students who are deeply concerned about the effects Bill 45 will have on their education, along with many other groups and individuals, have not been given the voice to speak at these hearings. In light of these factors, it is strongly urged that the proposal to establish tax credits for private schools be withdrawn. Thank you.

The Chair: We have approximately five minutes per caucus. I'll start with the official opposition.

Mr Kennedy: Thank you very much for your presentation. I appreciate your looking at the broad impact in terms of what this will do for students. I'm wondering, being a lot closer to high school than the rest of us, if you could tell us a little bit more about what this says to the students who aren't done yet, who are maybe hoping to go on to college or university. What does it say about the government's commitment to them?

Ms Legault: I think it basically says there is no real, legitimate commitment on the part of the government to ensure they will have a quality, accessible post-secondary education in the future, especially with Bill 132 being passed and the possibility of for-profit universities setting up in Ontario, the diversion of more public funds into private pockets in that case. It's not clear that we have any guarantees for our future education in any meaningful way.

Mr Kennedy: The rafters of the Legislature just ring with the echo of, "This is for students. This is student-centred and student-focused," and so on. I wonder if you could elaborate a little bit more on what it has been like, over the last six years, for students caught up in the loss of extracurriculars, caught up in the deduction of resources. I think we've got figures today showing that,

compared to, say, brothers or sisters who are five years older, students in this area will be funded \$819 less in the upcoming year. What have some of the experiences been like, and what do you think has been the impact on what students have been able to achieve in the last while?

Ms Legault: Basically, especially as far as smaller schools are concerned, it's a lot more difficult, at least in the context of universities, where I'm speaking from in this case, relating to Bill 132. It is a lot harder to attract students. There have been huge decreases in funding, programs have suffered and a lot of faculty positions have not been renewed. Generally, the overall quality has been diminished, because of trying to make ends meet, and then the programs suffer in the process. Because of that, tuition increases over the past while have been phenomenal, and there's been no commitment on the part of the government to reinstitute a system of grants, instead of loan programs, which just end up increasing the debt for students overall.

Mr Kennedy: Some people say, "Well, people should pay," and so on. Have you seen students not succeed as a result of the increased difficulty?

Ms Legault: Yes, for sure. I know a lot of people who just couldn't continue their education because they simply couldn't afford it.

Mr Kennedy: We used to have a province—if I want to get OAC students upset, I tell them what I paid for tuition: \$750 in 1977 at Trent University. I think there are people in this room who enjoyed the same privilege. The ironic thing is that there are people in this province, the ones who are setting these high tuitions and deregulating tuitions—I know the University of Western Ontario wants to charge \$14,000 per year for medical school next year. The average income of the families is already \$140,000, excluding people. It's more of a comment, but it really seems ironic to me that those who went before and had it a heck of a lot easier—I had a summer job that paid \$12 an hour at that time, and some students haven't had that yet. I'm saying it more for the benefit of the committee, when it comes to their turn to comment, to reconcile taking away resources in high school, making it more difficult to get through, squeezing down the curriculum, putting all the onus on to the students and then making it even tougher to get into post-secondary. It doesn't look like we should have any expectation of generosity on the part of your generation if we continue this.

1430

Ms Legault: No. I would agree with that completely.

Mr Bartolucci: Just one quick question. You might want to inform the committee: Laurentian University has never run a deficit before; are they running a deficit now?

Ms Legault: I don't have the exact figures right now, but I could provide that for you if you need that.

Mr Bartolucci: OK, great. Your tuition has gone up?

Ms Legault: Yes, 1.96% for the next year.

The Chair: Ms Martel.

Ms Martel: Merci d'être venue ici cet après-midi pour faire une présentation. You are one of the lucky folks in

the province who actually got a spot. I asked the clerk this morning what our numbers were running at, and she advised me that about 880 people requested standing to deal with this bill. I suspect the overwhelming majority want to focus on the tax cut and not other parts of Bill 45. Clearly, with the limited hearing time we have, a fraction of those people will actually have a chance to get their say.

At the end of your remarks, you talked about the need to expand the hearing process. I wonder if you can explain to the committee why you would ask that. You got your spot; you've had a chance to come and have your say. Why do we need to hear from more people?

Ms Legault: Basically to ensure that all representative groups and individuals get their opinions heard. I think it's just not possible to get an adequate representation in the limited time that has been given for people to express their concerns about it, and a lot of widespread concerns just won't get to be heard and contemplated by the committee because they haven't been given the time.

Ms Martel: You mentioned that in the government election platform in 1999, no mention was made of using public money to fund private schools. Clearly there has been quite a change in what they articulated to the public then and what they are bringing to the public now. Because the government has no mandate to go forward on this issue, is this another reason that you think people should be able to have their say, because it represents such a fundamental shift not only in their policy but frankly in the way we have traditionally funded education in this province?

Ms Legault: Yes, exactly. For such a fundamental policy shift there needs to be a lot more discussion and evaluation of all the implications on all the groups that compose the province and that will be affected by it.

The Chair: Mr Spina.

Mr Spina: Thank you, Ms Legault, for coming; good presentation. Bear with me if I haven't got any background information; I don't have a written context. We're just going by what you said, so I hope you appreciate that. By the way, I just want to indicate that when the NDP government brought in the social contract, there were no public hearings. Many people thought that was a fundamental shift from policy, and did they have that mandate? That's perhaps a rhetorical question at this point.

The United Nations claimed that funding the separate school system—you may have heard this question somewhat earlier—was discriminatory in the province of Ontario and alternatives should be explored. You quite accurately, I think, quoted the response at the time from the Premier and the minister, who said that funding other schools at this point would fragment it. We'd have to take money out of the public system. That would mean funding it fully, as the public and separate school systems are funded now. Tax credits were something else. But you can argue the point if you wish after.

You mentioned, I think, a single publicly funded system. My question to you is, do you think everyone

should be funded equally in their diverse schools, or should the Catholic system, for example, be amalgamated into a single publicly funded system without any funding for the others?

Ms Legault: I think the issue of the Catholic system would have to be dealt with in a separate manner, but as far as this bill is concerned, it's not clear to me that it's an appropriate solution—going in that direction, toward funding private institutions—nor an appropriate Band-Aid to the issue of being discriminatory. It makes the current system worse, and I think we should be going in the opposite direction.

Mr Spina: So you think we should be funding the other schools fully?

Ms Legault: No, I don't.

Mr Spina: We should not fund anybody else, but then we run afoul of the UN in being discriminatory by only funding Catholics. How do we resolve that as a province?

Ms Legault: I would support one system of public education.

Mr Spina: So the other should be melded in. You've mentioned 330,000 students being lured away. I wonder where you got that figure from, if you could help us understand that.

Ms Legault: That was from a June 5 press release of the NDP.

Mr Spina: OK, so it's the NDP press release. All right. No, that's fine.

Ms Martel: Thank you for quoting that.

Mr Spina: We respect that. We don't agree with it but we understand now where you got your point from.

I'm willing to defer to my colleague.

The Chair: There's a minute left if you wish to use it.

Mr Gill: I think you did say something about a private university, as if there are going to be some public funds going in. I think, for the record, it's been made very clear by the minister that if there's a private university, there will not be any public money going to that university. I think you had mentioned that there were going to be some funds going through.

Ms Legault: If private universities do become implemented in the province, it will be a siphoning of public dollars away from the public system because, based on the general agreement on trade and services, if the service of education is allowed to be provided by private companies, then equal weight has to be given to them in the same way that public education is taken into consideration. So there is the possibility that the government could be sued if they don't treat them in the same way.

Mr Gill: I certainly encourage you. Thank you very much for coming, because it takes quite a bit of guts to come to a committee like this. In that respect, let me reassure you there's no public money if there is a private university. I know that's the position the minister has because I happen to be the PA to the minister.

Ms Legault: I would disagree.

The Chair: With that, we've run out of time. On behalf of the committee, thank you very much for your presentation this afternoon.

WALTER HALCHUK

The Chair: Our next presentation is from Walter Halchuk, if you could come forward and state your name for the record. On behalf of the committee, welcome.

Mr Bartolucci: Luck of the draw, are you, Walter? Walter was the lucky guy who won the draw.

The Chair: There were four names in the draw this morning and that name came up.

Mr Walter Halchuk: Good afternoon. My name is Walter Halchuk. As has been mentioned to you, I am the lucky one who got drawn.

First of all, I would like to thank the committee members for the opportunity to address you on this issue, Bill 45. I am speaking to you as an individual and not as a representative of any group or association, even though I belong to six and serve on the board of four.

I'm a businessman with a history of volunteer community service that goes back to the early 1970s, when I had the pleasure and honour to be part of the youth advisory committee to the forward-thinking Sudbury city council.

My interest in this method of broader support for education stems from the values passed down to me by my parents and this multicultural community. My parents came from Ukraine, where state-run education was not the choice; it was the only game in town. Initiative and curiosity were drummed out of the population. The hammer and sickle produced generations of citizens who relied on and waited for government to solve their problems.

1440

Having escaped and survived this socialist experiment, my parents made it clear to me that education, not just schooling, was important. In addition to my public school preparation, I attended Ukrainian school evenings and Saturdays, where I learned more about my culture, and a more inclusive version of Canadian history, than I was taught in public school. As we've heard, there are ways that they can improve it. It was great to hear about the MacLeod school, because they are doing extremely well, but I would wager that they are an exception rather than the rule.

How can we truly educate our youth today if we do not provide the means to that education in a just manner? I'm speaking of justice here. Financial support for Catholic schools is a pre-existing constitutional matter, a legal, nonconforming situation—to borrow from municipal zoning terminology—and unacceptable to some. The UN decision for full funding, approximately \$7,500 per student, for non-public schools, as supported by Ottawa, I believe to be fiscally irresponsible. Of course, there is one public school authority, rather than four school boards, as an option.

The James M. Flaherty solution is more just, in my view. It does not fund non-public or private schools, thereby not supporting the individual aims of these schools. Yet it reimburses in part parents who choose non-public or independent schooling for their children.

This is the direction, I honestly believe, whether it's Ontario or anywhere else, where things are going to develop.

But with this sort of funding we have to look at something else. Fiscal responsibility is the flip side to this coin. Accountability has to be there. I ask you to consider this conditional stipulation for eligibility for such a tax. In other words, how do we make this work? I refer you to a press release that was put out by the province. I believe it stated that consultations will identify an appropriate framework for establishing eligibility for this credit. I have several suggestions.

Tax credits would be issued to those parents who choose non-public or private primary and secondary schools—this takes out JK and stuff like that—that employ certified teachers and administer standardized student tests—EQAO and that sort of thing.

To address student excellence and performance at the secondary school level, the return of college board entrance exams for all students would be useful. This will give an idea of how they match up for those who wish to continue on to university.

Next, I think slightly outside the box, to better apply to northern Ontario and address the geographic disparity of this region, the eligibility could be extended in a fashion to all parents who send their children to schools that employ certified teachers and standardized student testing. It basically begs to redefine slightly the "private" definition here. Private schools have an exclusivity or a choice in what we're dealing with.

I'm saying northern Ontario, because of its disparity, should be considered in a fashion within a form of private school. So whether the parent sends a student to private or public school, there should be some sort of thing that will allow for extracurricular activities and fundraising that will be available there.

I believe before there was also a tax break for drivers and various others in northern Ontario. We have, as the members here know, a few miles between towns, and if you want to compete with anybody or if you even want to discuss it, the technique is usually physically going there. At this stage we do not have the fibre optics throughout northern Ontario to be able to do this or just to travel several blocks into another neighbourhood.

Next, tax credits would also be provided to parents for payment of tuition fees regardless if the parent, the student, the school or a third party, such as a labour union, pays for the tuition. This includes scholarships. We're talking about different—in other words, if there is a situation where a private school chooses to accept members on a scholarship, whether it be a full scholarship or not, these parents have other expenses for such a student. This will level the playing field, especially for those who may feel their choice of schools is limited.

Simply defining what we're going to do, we're asking you to establish eligibility for this credit. These are some things I'd like you to consider.

Finally, I trust that our existing human rights legislation will be a guide in stipulating eligibility of non-public

schools. I would not want my tax dollars going to a Lee Harvey Oswald or Yigal Amir or Timothy McVeigh academy no matter how certified their teachers are.

Thank you for your patience. Respectfully submitted by Walter Halchuk here in Sudbury.

The Acting Chair (Mr Bob Wood): Thank you very much, Mr Halchuk. We would appear to have four minutes per caucus available. I believe we start with Ms Martel.

Ms Martel: I wanted to go back to the deputation that was put forward by Mary Hewitt and focus on the section on accountability, because you've told the committee that you're in support of the government scheme. At the same time as the government proposes to use public dollars to support private schools—because parents get that rebate and then they pay tuition, so of course they're getting public money in private schools—why is it, then, that they don't have to be accountable in the same way as public schools have to be accountable? Mary and others before her pointed out that private schools don't have to follow the provincially established curriculum, their students don't have to participate in the provincial tests, their teachers don't have to be certified by the Ontario College of Teachers, there's probably a legitimate question about whether or not their teachers are going to have to go through police checks as well, and I don't think the government has said one way or the other. Why is it, then, if the government is going to give public money to private schools, that private schools shouldn't be accountable to the public in the same way that the public school system is? And do you support that, or not?

Mr Halchuk: I have no problem in supporting it, because the direction was open-ended in the fashion I just mentioned to you in a press release, that the framework for establishing eligibility for such a credit would be done through a forum such as this. In part of my presentation I stated that the accountability would be that a tax credit would be given to those parents who choose schools that have certified teachers and administer standardized student tests.

Ms Martel: But there are any number of private schools that don't. So are you saying that the government tax credit should only go to those schools that are following provincial standards, have certified teachers etc?

Mr Halchuk: Certainly. I don't see a problem. Also, for example, in one case I'm thinking of, all students would be required to take college board entrance exams. If a school chooses a method that is not what the rest of us may consider the "in" way to teach students but still can produce a literate person who knows how to handle tests in particular and also a situation that will put them in the public—so, for example, with college board entrance exams, if that person can pass that battery of tests, I see no problem in having funding for that sort of school. But if they do not meet the standards, I don't see supporting that. It's that simple. I think those sorts of standards have to be there. Whether the certified teachers are up to 100% or 50%, that can be discussed, but there have to be certified teachers.

Ms Martel: What if they do that but they bar special-needs students or bar students with a lower level of academic achievement?

Mr Halchuk: I think I mentioned also that I trust that one of the guiding eligibilities for this sort of tax credit would be the existing human rights legislation: Should someone choose to bar someone on religious grounds and things, they definitely would not be qualified for that sort of thing.

Ms Martel: The problem, though, is that the code exempts private schools right now. The code prohibits this kind of discrimination, and that was made clear to us in the Legislature a couple of weeks ago. As the code is currently written, it does not prevent private schools from barring students perhaps with disabilities or students who have lower academic needs. So the code is not going to protect those students. I hear you referring to the code, but it's not going to protect these students.

1450

Mr Halchuk: As far as protecting these students, that's fine, but I understood that this committee is looking at the tax credit eligibility. Therefore, these parents who choose to go to, for example, a school, if they are barred, that school does not become eligible for tax credits for students.

Ms Martel: OK. So regardless of what the code says, because you referred to that as the provision and said that should be the standard—

Mr Halchuk: For this tax credit. We're talking about this tax credit, correct? So that means that in the choice that is made of how you apply this tax credit, you have to abide by the Human Rights Code. You have to also have certain standards for that school to be able to receive those sorts of, I guess, marks or whatever you want to call that. Sorry.

Ms Martel: I just go back: you said, again, that the school has to meet the standards of the Human Rights Code. The current dilemma we have is that the code does not consider it discrimination if a private school bars students. So I return to the problem again that your wanting to use the code will not in effect prohibit schools from barring students; they can, under the current Human Rights Code.

Mr Halchuk: Yes, they can, but then that school does not become eligible for the tax credit.

Ms Martel: In your opinion.

Mr Halchuk: Yes. Exactly.

Mr Hardeman: Thank you very much, Walter, for your presentation. I very much appreciated particularly the issue we've been dealing with considerably of the Catholic school system and the fact that it's part of our publicly funded public system, and the United Nations decision. I appreciate the comments you made that the approach the budget makes to a partial tax credit for parents who make that choice, for whatever reason, is a good approach to try to achieve some fairness and some equity for those parents, and not go into the areas where the UN says we should go and which would not be in the best interests of the population of Ontario.

I was very much interested: we've heard a lot of discussion about the definition of "eligible tuition" for the tax credit. You point out a list of items that you feel should be put in place to define the eligible tuition. The opposition and some folks who have been speaking on the issue are implying that there will be no criteria, that the eligible tuition will be that anyone who turns in tuition will be get their tax credit. The minister was quite clear that we need to develop a framework for what eligible tuition will be. Your recommendations here are quite extensive, and we appreciate your coming forward with them.

On the last one here that I have marked down you said we should make the credit available to people even though they haven't paid the tuition, that if somehow it was a scholarship or something else, they should get a tax credit on that anyway. In your opinion, are there many schools that would fit in the category that before they get to grade 13, there are a lot of scholarships that would apply to?

Mr Halchuk: I don't know how many it would apply to at this stage. I would have to do the research. But I do know there are schools that will provide a scholarship for the tuition portion, and in some cases a full tuition and costs involved in that school. I met a chap who came from rather modest means who did get a complete scholarship to Upper Canada College. This is the situation.

Now, the parents obviously have additional costs beyond those for that child, and that would be one area I would like to have the committee consider. As I state, whether the scholarship is even from a labour union or whether it's from a school or anybody, if that is done, I think parents should have that tax credit.

Mr Hardeman: I thank you very much for your suggestions on the criteria, and we'll turn it over to my colleague Bob Wood.

Mr Wood: I want to understand your idea of, I gather, a northern tax credit which, if it's a good idea, I think should be applied throughout the province and not perhaps just to the north. But that's another story. What I thought I heard you say was, if you send your child to one of the two public systems, you think some form of tax credit should be available to those parents so they could give money to that board to assist in some further offering of activities. Is that what I heard? If I didn't get it, explain to me what you said.

Mr Halchuk: In effect, through the two systems, because there are four boards, actually, that this tax credit could be expanded in terms of its definition, not necessarily of private schools, but in such a fashion—because this will handle some of the additional costs there are in northern Ontario. Granted, the private schools are a major consideration in southern Ontario, but in northern Ontario it is a minor consideration, to a large degree. What it would address is the additional costs that are incurred in northern Ontario beyond simply the standard classroom costs that are there. I feel that this would be a way of looking at it, and it goes beyond simply saying

private school testing. But it is schools that normally do not have an entry requirement, and therefore this entry requirement happens to be people in northern Ontario, which now includes Parry Sound and so forth.

Mr Kennedy: Thank you for your presentation. I just want to ask a couple of things, Mr Halchuk. You talk about the UN decision. You know when the government deputed to the UN, they said things like funding "would result in disruption and fragmentation of education in Ontario." This is the only study, by the way. These, some 50 pages of legal research, are the only study this government has ever produced on the possibility of extending funding. It was in partial as well as in full form. In that, they made arguments—they paid good money for arguments—that said negative fiscal impacts would take place. "There would be a marked increase in the duplication of services and capital costs to fund" private schools "and a concurrent diminishment of the range of programs and services that the public system would be able to afford." That's what the government said; that's what they told the public, the last election. That's where things stood until this.

From your standpoint, you're saying you would agree that they shouldn't implement the UN decision, but you say because of fiscal responsibility. Yet, I think you might agree, what's in front of us is a format now that would allow any number at all of private schools to come forward and receive this credit. There's nothing that I'm aware of, or perhaps you could point it out in your study of this: is there anything that would stop this from being \$1 billion or \$1.5 billion if sufficient numbers of people chose to leave the public system and go into private arrangements?

Mr Halchuk: Eligibility.

Mr Kennedy: I'm sorry: which eligibility?

Mr Halchuk: I'm talking about eligibility for this tax credit.

Mr Kennedy: But eligibility, you're saying, for the schools. Suppose that eligibility was met with certified teachers and standardized tests. That still is an incentive. I think you're aware too that this is the only jurisdiction anywhere in North America that has actually brought this to the point of a law, this close to passage. Thirty-three referendums were held in the United States last fall on tax credits and vouchers. Every one of them was defeated. The margins were about 70 to 30. This is the first time a government is actually going to enact it, put into law this variable of being able to have a wide-open system. So I'm just wondering, if you say "fiscally responsible," wouldn't it be fiscally irresponsible to give away \$1 billion or more or whatever else? Why didn't government contain this somehow, give it a budget?

Mr Halchuk: From what I can see, the containment is in the fact that you're going to a maximum of about \$3,500 rather than \$7,500 per student.

Mr Kennedy: But for an infinite number of students.

Mr Halchuk: In a virtual reality. I'm speaking about the actual reality. I don't see this happening across the board. First of all, there has not been a stampede in the

Sudbury area to private schools. There have been some more phone calls, granted, but I don't see this sort of thing stampeding people into the private school system.

Mr Kennedy: I appreciate that you're saying bring in some controls. Alberta has them, BC has them; everybody who does direct funding to schools has them. But direct funding, where the finance minister in Ontario said there's 32% in Manitoba, for example, that would be, in addition to the money we're talking about today, another \$240 million. That would be \$540 million. If we had what happened in BC, that was about an 80% increase from the time they initiated to the time that they're done. That would be additionally some \$280 million.

1500

I'm just wondering, at what point does this become fiscally irresponsible? How much money can the government be throwing at this initiative? I think you have been here all day. You have heard from the local schools. They are missing things. They are missing textbooks. They are missing special education. There are kids who are not getting their needs met, and those are the ones who are left behind. You might appreciate that some kids are \$1,200 kids—they come ready to learn, they've got all the background, they've got all the ability—and there are some other kids, maybe just for a year or two, but they cost more. I hate to refer to them that way, but the good thing about public education is that they will all pool the risks and the challenges. We can't do that if we're going to pay people money, give them an incentive to leave that public system, to take the lazy way out and not try and make it work.

It strikes me that the whole proposition, if fiscal irresponsibility is going to be raised, is so open-ended. How do you see that not being fiscally irresponsible to spend whether it's \$300 million or \$500 million or \$800 million? This could go anywhere that a disgruntled public could take it.

Mr Halchuk: First of all, I don't believe it to be an attack on the public school system. In terms of the fiscal responsibility, I see this as being a prudent way of expanding support for education. It's a more inclusive method. You're bringing up some large figures and I don't know how they would apply, but exponentially, in giving—

The Chair: With that, I have to bring the discussion to an end, because we've gone by our time. On behalf of the committee, thank you very much for your presentation this afternoon.

ISLAMIC SOCIETY OF SUDBURY

The Chair: Our next presentation is from the Islamic Society of Sudbury. I'd ask the presenter or presenters to please come forward and state your name for the record. On behalf of the committee, welcome. You have 20 minutes for your presentation this afternoon.

Dr Shah Nawaz: My name is Shah Nawaz, and I am vice-president of administration of the Islamic Society of Sudbury. With me is Dr Belaid Aouni, a professor at

Laurentian University, who is the vice-president of education at the Islamic Society of Sudbury. We have been given very short notice about this committee and I haven't been that well prepared. It's my first time appearing before a committee like this, so excuse me and overlook my inappropriateness at times.

I would like to start by saying a few words about the Islamic Society of Sudbury. It has been a registered charitable association for the past 20 years. It's a small but active community. We have been active enough to establish the only mosque and Islamic centre of north-eastern Ontario in Sudbury.

We serve the needs of a community of 400 Muslims who live in the Sudbury area and many students from various Muslim countries who come to the university there. It's more like a transient population. The Sudbury Muslim community has the uniqueness of being a small United Nations. The origins of these people are 20 different countries.

Basically we organize various community events of a religious and cultural nature. We are also a very active part of the larger Sudbury community, and we have spokespersons in the police advisory committee, inter-faith groups, race relations committees etc. We are also at the central library to provide information about Islam to those who are interested in knowing about it in this part of the world. We have regular prayer meetings and special events for Eid and Ramadan, our sacred month. We have a board of directors and an executive committee operating in a democratic fashion.

Today our discussion revolves around the future of Canada and the future of children, which crosses all party lines. Like all Canadians, we are very concerned about the future of Canada and the morality and ethics of future Canadians. As a religious group, this is of special importance to religious minorities, in addition to the multicultural mosaic of the future Canada. We are always hoping and looking forward to a spiritual renaissance for a brighter future for our country. What can we do about such a brighter future? The only hope is our children.

I'll briefly present the actual story of parents who are part of our community. About 30 years ago, a person immigrated to Canada and made Canada his home. He educated and trained himself and became a professional and a taxpaying and law-abiding citizen. He married a girl from the old country and they had two children. The kids grew up in a small town in Ontario.

Initially the education system was felt by the parents to be a very appropriate area for their children. They sent them to elementary school in French immersion because it would add to the diversity of language skills for their children. They were looking forward to being part of a bilingual Canada.

As they progressed through elementary school, the problems of the Canadian education system became gradually more obvious to them. Around that time many task forces on North American education systems supported his views. North American high school graduates performed much worse than in many Asian countries. In

addition, discipline and moral values were not stressed in the school. Students were free to study or not to study. Moral sciences were not part of the curriculum. So he decided to send the children back home overseas for grades 6, 7 and 8. They stayed with grandparents, getting to know their families and learned about their religion and culture. It made them very strong and very sure about their identity.

This major decision took its toll physically, emotionally and financially but it was the best decision for the future of their children. The children have returned. One has finished first year university in Toronto and the second one is completing her grade 12 this week. The choice has been very expensive for the parents, both of whom are taxpaying citizens, and I believe they should have a choice.

I am here to voice my support for the government's decision for a tax credit for parents who would like to send their children to schools that they select as best for their children. We are all different people, no two people are the same, so let's allow people who are different to live out their differences in a meaningful manner. Let's be grateful to God for what we have in Canada and grateful for the education initiatives of the government. Let's pray that the government does not overlook the spiritual needs of its citizens and sets policies that look forward not only to a more prosperous but also a more humane, more kind, more noble, more tolerant Canada.

That's all I have prepared, so we have lots of time for questions.

The Chair: We have approximately four minutes per caucus and I'll start with the government side.

Mr Gill: Thanks to both of you for appearing before the committee. I'm assuming, maybe wrongly—were you born in Canada? Was your basic education here?

Dr Nawaz: My post-graduate training was here, yes.

Mr Gill: I meant more like high school.

Dr Nawaz: No.

Mr Gill: So this gives you a comparison between getting your basic education in terms of high school or primary school somewhere else.

Dr Nawaz: Correct.

Mr Gill: Now that your kids are studying here, how would you compare the two systems, where you studied versus here, how bad is it here or how good is it here?

Dr Nawaz: Well, things have changed. I am over 50 years old, so we need more recent comparisons. In fact, I was hoping I could bring my daughter. This is my own story, obviously. I was hoping to bring my daughter in, but she has exams. She would be the best one to compare the two. I have talked with my children about the differences, and they have told me the differences are still similar to what my feelings are about the differences. There is a difference, definitely, in the amount of material that you learn. The curriculum includes moral sciences over there. They don't have a subject like moral sciences in any of the schools that I have seen here in Sudbury.

Mr Gill: One of the things you mentioned, and I think it's a good point, is that the community—the 400 Muslim families and some of the students—is quite well integrated into the society at large in terms of being on the board of police, being on several other committees. One of the points brought forward before, by the committee, or by some of the presenters, has been, “Well, if we give a tax credit, then maybe we're going to be ghettoizing people, and maybe they're going to be so segregated that the community at large will suffer.” What is your opinion on that?

Dr Nawaz: I disagree totally with that. What we are going to make is better people who are more sure about themselves, more productive, more hard-working and more competitive. These are the words that come to me. We need their competitive spirit. We don't have that in the public system. If you stick with the public system alone, there's no competition. What does the public system have to show over the last 20 years? Many task forces, as I mentioned here, have clearly stated that North American students are not doing well compared to the rest of the world. Why is that?

1510

The Chair: You have one minute left, Mr Wood.

Mr Wood: Could you share very briefly with the committee what Islam teaches about respect for others and tolerance for others?

Dr Nawaz: It's not very different from any other religions. You treat your neighbour as you would treat yourself, the way you would want him to treat you.

Mr Wood: If you had enough numbers, do you think there would be an interest in an Islamic school here in Sudbury?

Dr Nawaz: Definitely.

Mr Wood: Why do you think there would be interest here?

Dr Nawaz: Because the public system is not inclusive in terms of the aims and objectives for our children.

The Chair: Thank you very much. The official opposition. Mr Bartolucci.

Mr Bartolucci: Just a very, very quick question, and then Mr Kennedy will take over. Doctor, thank you very much for your very good presentation. I do respect your point of view, as you know.

You see, I see this as a way of weakening the public school system, because I believe the Muslim children have so much to offer the public school system, as do so many other groups that I believe may choose to leave it. And that is a weakening of the public school system. Do you believe that that will happen?

Dr Nawaz: I do not believe so, because my children have gone to both the public system—they actually did their high school in the public system. I had every opportunity to send them to private school. But the parents have the choice. That's the most important thing. We should have a choice. We have chosen private schools for a certain period of their time, or their formative years, when we felt that the system is not appropriate for that particular age group, where they come under peer pres-

sure, where the material that they should be absorbing must be much more than what's offered in the school, their ability to choose moral sciences. There are many things that children need at a certain time of their educational period in the school, and parents should have the choice to do that. Having one system is like having Air Canada.

Mr Kennedy: Picking up from that, Doctor, I just wonder if I could ask: it seemed to me—and I don't want to paraphrase; I really would like to understand—that you mentioned grades 6, 7 and 8, that that was a time—you've mentioned, in a context of formation and you mentioned moral sciences as part of the things that were being offered in the schools that you'd had to send your children back to.

I wonder if I can pose the question to you this way: what would it take? Can you imagine being able to achieve some or all of that objective within a modified public system? Could you see ways in which it could adapt to deliver some of that specialness that you were seeking for your students? Because obviously you did entrust your children to it. It sounds like—I don't want to be mistaken again—most of their education was within the public system, and you identified a special period. Is there any way that public schools could adapt to have that level of diversity?

Dr Nawaz: There are always ways, but the question is about the practicalities. What has happened to the public school system over the last 20 years? What has happened to it? Are the children much better now 20 years later? Children are always children, you know. There will always be the same eight-year-old and 10-year-old. Twenty years ago, there were children coming out of the public school system. Now children are coming out of the public school system and there's comparison of international standards. Why are we failing in the public school system in spite of having had this time frame of 20 years of government supervising, providing leadership for better-educated Canadian students from high schools? We are not getting that. This, I felt, was a failure of leadership of the governments of North America in putting education behind other forms of development of human skills; not the basic education for children, but they put other things ahead of it, such as maybe rocket science, but not the children and the future.

Mr Kennedy: Can I understand that? Because I think it is important. We have a very brief opportunity afforded by these hearings to try and reconcile some of the views people have about education. Some people would argue that education has lost its centrality, that we used to put a lot more emphasis on it and it has slipped down, and some people have talked about that in terms of the funding. Sudbury children have a lot less money being devoted to them. But it's about commitment as well.

Part of what you've clearly identified as missing is a religious component, a moral component. As well, you're suggesting that there's been some slippage, some loss in the last 20 years. I guess part of what we look at is, how can we get the people who are motivated to see things

better to stay with the public system so it can improve? It can only be as good as the people who will participate in it. What I'm trying to get at: what would you like to see changed specifically? What could be adapted to meet the kind of standards that you're looking for in either sphere? You mentioned two—perhaps you didn't put them as deficiencies, but two things that strike you—the 20-year loss and also the part that you felt was on the moral grounds.

Dr Nawaz: Nothing is impossible. But we have to look at the practicality of it. If you offer them something 20 years from now, they would rather take something that's available this year.

Ms Martel: Thank you, Dr Nawaz and Dr Aouni, for participating here today. I wanted to ask about the other members in the community. How many of the other members in the community are sending their children home for some period of their formal education? We know what your circumstance is.

Dr Nawaz: I was extremely lucky to be able to do that, because so many things fell into place and the situation was available to me to get the job done. After several years of actually thinking, we ended up doing it. I have talked to many of the parents who wish they could do it, but they cannot for practical reasons.

Ms Martel: I'm not asking it as a criticism. For example, Dr Koka—I'm just going to ask about some of the members in your community. Did his son go home for any part of his education? Do you know?

Dr Nawaz: It's really not my business as to how to look after their children; it's their job.

Ms Martel: I'm not trying to be critical of them. I am curious about the position you are adopting today for this reason: Dr Koka's son is at medical school right now in Ottawa. I would argue that his getting there reflects positively on the public school system.

I believe you have another colleague who worked for OCWA—whose name I forget and I apologize for that—whose daughter now is a physician and, I would argue, was well served by the public system to get her there. Two of your colleagues, because you talked about community—I had the pleasure last year and this year of giving volunteer service awards to the sons of both Dr Vijay and Dr Kumar, who are very attached to the community.

So why I'm surprised by the position you're taking is I would make the argument that your community, in particular, because I go to your events and I know the folks in the community, has been well served in the public system. They are very productive. Your community is providing in essence the medical basis and a basis at the university. I'm surprised at the position you are taking, because I would argue that many of your sons and daughters are making an enormous contribution back into this community, and I'm wondering if many or most of them went through the public education system here. It would be a positive reflection about the public school system that they are doing so well.

Dr Nawaz: I have to answer, first of all, you are not referring to my community. Number two, I have lots of Canadian friends also who keep their kids in the public school and send their kids to medical school. So it does not reflect my community. I'm representing the Islamic community.

Ms Martel: I understand that, but there are many people in your community who form the professional basis in this community. That's a given. I'm not saying that's a bad or good thing—that's a given.

Dr Nawaz: I'm representing the Muslim community here and I don't think you refer to any—all the people that you mentioned are not in that community.

Ms Martel: Dr Kumar, Dr Vijay?

Mr Gill: They might look the same, but they are not.

Ms Martel: I'm sorry, Raminder, I go to a number of their events and that's where I see these people. I'm sorry.

1520

Dr Belaid Aouni: I would like to add another thing. It doesn't mean if our kids are in public school they aren't very happy. I will give you many examples, starting with me, and it may be outside of Sudbury, in Quebec. The people arrange to send their kids during the summer: instead of the kids taking holidays, we send our kids to other countries, and I am talking about Tunisia, Morocco and Algeria. There are some schools, from primary schools, especially for the foreign from outside. So when we send our kids there, it's to complete their background. They take courses in morality, they take courses, for example, in the Arabic language, Islamic education, and also scientific aspects in mathematics and so on.

I am in teaching, and I can tell you sometimes I'm not very happy with the way they teach them some mathematical aspects, maybe because I am a professor in operations research, and when they see my kid, they start to, for example, make duplication and they show them how—I tell the professor it is the wrong way; he will not be very strong.

I will not discuss this, but to answer the question that was already raised, many people that I know send their kids during summer by supporting tickets, plane tickets and their fees there to get what they don't find here in public school. I cannot do it during fall and winter, because he cannot be in two systems at the same time. But that means I have not found all I am looking for for the education of my kids. And I am doing it for the benefit of my country, which is Canada. All these efforts have a direct benefit for my kids in their future in constructing and developing my country, which is Canada.

The Chair: On behalf of the committee, thank you very much for your presentation this afternoon.

SUDBURY AND DISTRICT LABOUR COUNCIL

The Chair: Our next presentation is from the Sudbury and District Labour Council. I would ask the presenter to please come forward and state your name for the record.

On behalf of the committee, welcome. You will have 20 minutes.

Mr John Filo: Hold it, Mr Wood, before you go.

Mr Wood: I'll be back.

Mr Filo: No, no, I've got some tickets. I'm fundraising for my son's football team at Lasalle high school and I'd like you to buy a ticket. They're \$2 each.

Mr Wood: I think I'd better do that right now.

Mr Filo: Some of the funding cuts that you guys have implemented, we have to compensate for.

The Chair: Remember that the clock is ticking.

Mr Filo: I remember that the clock is ticking, but I also remember that you guys are well-scripted. I am a politician wannabe. I ran for Parliament. I watch the parliamentary channel. You guys are well-scripted; you know what you're saying. As individuals, you are very decent, honest, direct people. But when you get into the House there, you toe the party line. It doesn't matter about my presentation. I can tell you that right now, Marcel—Mr Chairman.

The Chair: Marcel is quite right. That's OK.

Mr Filo: Because it won't make any difference. You people have come into this province and you've changed everything. You've made it topsy-turvy. You think you are doing the right thing, no question about it. But I'll show you that in fact what you're doing is leading to a real degradation in a lot of the institutions that we have in this province.

I know the clock is ticking, but I've got a written submission which will be read into Hansard. I just want to answer some of the people. I guess our friend the Ukrainian person has left, but I wanted to say this. He mentioned the socialist experiment in the Ukraine. There is no dictionary that will define what happened in the USSR or any of its eastern republics as socialism, but we're all brainwashed into thinking that that is socialism. That's not socialism. Tyranny in any form, whether it's Tory tyranny or Russian tyranny, Communist tyranny, is still tyranny; it's not socialism.

Mr Hardeman, you made the comment that there was a definite commitment that there'd be no public funds given to private universities. Can you categorically state that the government or any of its spokesmen will make a statement and that statement will hold forever, like, for example, the business about funding private schools? They flip-flop all the time, Mr Hardeman. Their guarantees aren't worth the paper they're written on.

Mr Hardeman: I don't want to correct the presenter, Mr Chair, but he's referring to Mr Hardeman when the comments he's referring to were made by Mr Gill.

Mr Filo: I'm sorry. I apologize. I suppose the comments were true, though, as I stated, or did I make a false statement, other than identifying the person who made the comment?

Mr Hardeman: You misidentified the person making the comment.

Mr Filo: OK, that's the only thing, but the statement still holds. You're politicians, you're never held to what you say. You know, that was then, this is now.

I want to go back to the presentation, though. You can question me at length on anything that I say.

In 1898, the Trades and Labour Congress of Canada drew up a platform of principles which included as its number one item free compulsory public education. That was almost 100 years ago. The labour movement has a deep commitment to free public education.

Historically, there's always been a fundamental difference between business and industry—and you guys are representatives of business and industry—and the labour movement with regard to education. Business and industry tend to view education as training, whereas labour sees the role of education as developing an informed, independent-thinking, responsible, self-actualized citizenry that contributes to a fully functioning democracy.

The Premier has been heard to say that giving a tax credit to parents of children in private schools is practicable because there is money available. We believe that any available monies should be put in the public system so that subjects such as art, music and physical education, in addition to the three Rs, are restored to previous levels.

Our public school system has served very well as the vehicle for intergenerational mobility. I'm an example of that. My parents were poor immigrants who came from central Europe. They had a grade 3 education. I am a retired professor, formerly chairman of mathematics in the institution that I worked in. Also, I worked for 14 years in international mineral exploration, so I've got the greatest regard for the great religions. I spent a year in Saudi Arabia, I have been on every continent except Australia and Antarctica and I've worked with Muslims, Jews, Buddhists, Sikhs, Hindus, you name it. They are great religions.

Mainstream economists and political scientists are generally in agreement that capitalism is a system designed to create new wealth. When it does, it concentrates it in fewer and fewer hands, resulting in a stratified society of the haves and have-nots. Most of us know that out of the top 100 economies in the world, 52 are multinational corporations, 48 are countries. We should be frightened at this awesome concentration of power and resources in entities that are not democratically elected and thus accountable to the people over whom they have such influence. We need legislation created by our governments to put in place checks and balances on such companies so that privileged classes and special interest groups are not favoured at the expense of the population at large. Of course unions are a mechanism that evolved to redistribute wealth to foster a classless society.

I don't want to debate how much has been cut from education. Ask any parent if the funding has kept pace over the years. I have two teenagers in high school, and to participate in varsity football, my 17-year old son has to raise \$250, plus supply approximately \$170 worth of equipment. The school field hasn't been rolled for years and the irregularities in it have resulted in injuries.

Royson James, a Toronto Star columnist, has written that the Tory politicians "have spared no expense, used their political muscle and spun a web of deception aimed

at confusing the taxpayer and hiding the damage they inflicted on municipalities.... The Mike Harris government has taken out newspaper ads to spread its propaganda on this issue. They've paraded a steady flow of wily cabinet ministers, each filled with duplicitous words and numbers intended to obfuscate and confuse." The same holds true for education.

1530

For a group that "is not the government, but is there to fix the government," the interpretation that suggests itself is that "fix" is employed in the same sense as in "fix the fight"—I used to box as a youngster—meaning bringing to a prearranged conclusion favourable to the fixer.

Outside of tax breaks and cuts that have resulted in hardship and pain and loss of services, what has your government accomplished? Where has the government shown any creativity to solve the problems of a modern society? Even in education you're following the model of Len Derkach in the Filmon government in Manitoba. Fortunately, he was replaced by Rosemary Vodrey who decided that sanity should prevail. Most of his initiatives were discarded. Your research officer probably knows what happened in Manitoba.

Why is it that when governments with a left-wing orientation attempt to change public policy, the right-wing think tanks and the neo-liberals—usually referred to as neo-cons—haul out that immutable law of unintended consequences and ascribe to whatever initiatives are being contemplated every theoretical negative outcome possible or probable, but when the Harris government promotes tax credits for private schools, they are eager to accept the inane logic of a semantic argument that tax credits and vouchers are not equivalent? I suppose the writer of an editorial for the National Post of May 11 will be disciplined for breaking ranks.

There are two issues that should be emphasized, two issues with which the Harris Tories are overjoyed because of the confusion associated with them:

(1) Those opposed to tax credits for private schools are not opposed to motherhood, apple pie and religion. I respect the religions; every one of us does. Indeed, although we feel that religion has no place in the Houses of legislation of the nation, practitioners must be allowed to follow any religion they wish, but not at public expense. Do you want to subsidize the conscience of your neighbour and does he or she want to subsidize your conscience, especially if your name is David Koresh of the Waco Branch Davidian cult or if your organization is Heaven's Gate and you have to hurry to catch the rocket ship travelling in the tail of the Hale-Bopp comet? But I do not in any way demean the legitimate great religions. Conscience is personal and private.

(2) Trumpeting the availability of choice; that parents know what's best for their children. Even this is not a correct statement. Parents know what they want for their children and what they believe to be best for them. The Harris Tories maintain that denying tax credits to private schools is unfairly restricting choice; that the supreme factor in our lives when the deity is not being invoked

should be the free market that has natural and magical solutions to all our ills. Unfortunately, the rules of the free market were written by the haves, who were always in control of the governing classes and who are so even now.

Gary Orfield, a Harvard professor, has indicated, "Choice is a term that is difficult to disagree with in principle, but which has no clear meaning until many blanks are filled in. In other words, it is an almost perfect political concept." As with freedom of speech and freedom of personal expression, freedom of choice must have judicious limits placed on it because of the consequences to those not doing the choosing. Personal freedoms must always be subjected to the test of the greater public interest.

I appreciate that it is difficult for this government to implement policies that serve the greater public interest. Its track record of abuse to Toronto, unions, the poor and homeless, teachers, seniors and a leader who thumbs his nose at family values by taking his girlfriend on an international junket and embarrassingly uses unacceptable language when his limited intelligence prevents him from being accountable for his policies in our House all militate against sensible progress.

It is time for some sober reflection. What is the benefit of an approach that has jeopardized so many of the institutions that have made our province into a caring, compassionate society and has pitted group against group? Why has the Harris government decided that a minority of all eligible voters is a mandate to do whatever they want just because they have the majority in the House? It's a little complicated there, but you're serving as a minority government really. You were elected by a minority of people eligible to elect you, but you are running things as though you've got 100%.

Interjection.

Mr Filo: What's that, Joe?

Mr Spina: Every government.

Mr Filo: Well, all right, every government is. But there's a point where—just because it happens that everybody does it—you have to say to yourself, "I'm an honourable and decent person, and I don't have to behave like everybody else does. I'm going to do the right thing."

What would you say about another party in government ramming through an agenda to serve special interest groups such as you're doing? You'd be out there screaming. I've seen you on television, Joe. You're a great performer.

Withdraw the tax credit. Show that the greater public good is paramount.

The Chair: Thank you very much. We have two minutes per caucus. I'll start with the official opposition.

Mr Bartolucci: Thanks, John, for your very interesting and passionate presentation. Are you concerned that Bill 45 will segregate and stratify our public education system?

Mr Filo: Mr Bartolucci, it's as plain as the nose on our faces. Yes, it will stratify it. There're two ways of

looking at something. One is anecdotal and one is statistical. We've had a lot of anecdotes said here this afternoon that suggest that it won't, but statistically there's only a fixed amount of money available for education. If it goes toward private interests, it won't go for public interests.

Mr Kennedy: In terms of the basic outlook, I think you've touched on it but it bears repeating. People put a lot of faith in the forward progress of this province, built on people reaching their own potential and built on people defined by where they're going, not by where they're coming from. To me, this brings it to a dead stop. A government that makes money on kids going into private schools never again will have a commitment or a rationale to make public schools the very best they can be. It doesn't make any sense at all.

I wonder if you sense that sense of moment or if you just think this is another hiccup along the road. For me, people don't get what's in this. The government is able to slide into the summer. People don't understand that this is a fork in the road. While it should be an ideological dead end, it might be just the kind of thing that takes public education rapidly down the hill.

Mr Filo: This is the thin edge of the wedge. What follows from here on in—and some of the religious groups have already gone on record as saying, "This is fine for starters, but we're going to continue to fight until we get full funding." Whichever way you look at it, full funding for private schools, whether it's Upper Canada College or the Christian academies, will mean less money for the public system.

Ms Martel: Thank you, John. The minister has said, and the government during the course of the hearings, I gather, has said it as well, that the \$300 million we're talking about, that I am fearful is the low figure, is not money that would be taken from the public education system. We also heard earlier this afternoon that there won't be public money put into private universities. Are you concerned that in fact it is going to be money that comes out of the public education system? We've already heard about some of the cuts, specifically with respect to this community. What would be the greater impact with even more money coming out in terms of this community and what it's facing?

Mr Filo: They're trying to bring the public education system to its knees. Jonathan Kozol has said that the way things are going in the education system, it's only going to be the children of the fittest who are going to survive. It's an obvious factor that the money that goes to private schools cannot be used to implement progressive change in the public schools.

Not only that, there's another point that's very important. The public debt since the Conservative government has come into power in Ontario has increased by leaps and bounds, mostly because of the way in which it gives away tax credits to special interest groups. I can't remember what the figures are, but the provincial debt has increased substantially. Where is the right-wing

portion of the Conservative party saying, "Hey, hold it. We've got to stop this drain on the public purse"?

Mr Gill: Just to be on the record, during the NDP years, John, you may know that the debt actually increased from \$45 billion to \$90 billion. You may remember that or maybe not. Was that too long ago?

1540

Mr Filo: You say, "Was that too long ago?" Do you think I'm some kind of an idiot, Mr Gill? Of course I remember that. But don't forget that the economic conditions were significantly different. You have been in power in the best economic boom for years, and the NDP was in power in the worst economic time since the Depression. Doesn't that make any difference to you?

Mr Gill: The UN has said that to comply with the human rights—whatever—code, you have to either give funding to everybody or not deal differently with the Catholic board. What's your opinion?

Mr Filo: I don't think the United Nations said it in just those terms. You're very much simplifying it. You're making it into a black-and-white issue. The fact is that you don't solve one problem by introducing another problem. The provincial government and the federal government have a duty to straighten out the business about funding the Catholic schools. I'm not going to get into that. I don't have an opinion on that. I have an opinion that all religions are worth respecting but that conscience is private and that people like you should generate the solutions to these dilemmas that we find ourselves in. You're elected to do that. You're going for a raise right now, aren't you?

Mr Gill: In your mind—

The Chair: Thank you very much, Mr Gill, but we've run out of time.

On behalf of the committee, thank you very much for your presentation this afternoon.

Mr Filo: Thanks for coming to Sudbury to hear us out. I'll be watching you on television, and I repeat that I think you're all decent and honourable people.

HELEN GIBSON

The Chair: Our next presentation is from Helen Gibson, if you could please come forward and state your name for the record. On behalf of the committee, welcome. You have 20 minutes.

Mrs Helen Gibson: First of all, I'd like to introduce myself. My name is Helen Gibson. I am here as a parent and would like to take this opportunity to speak on behalf of my husband and myself. I would like to present from my own personal experience and to possibly represent some of the other families that have already chosen private education for their children. I'm a parent of a 10-year-old daughter who is presently enrolled in grade 4 at Glad Tidings Academy, which is our local private Christian school.

When we first considered registering our daughter in junior kindergarten, I had the belief that I would like my daughter to attend from kindergarten to grade 8, but on

the other hand, my husband was not quite as sure he felt a religious school would be appropriate for her. We proceeded to have her registered for junior kindergarten. Within the first year of attending the school, my husband was convinced that a private Christian education was the very right choice for our child. He believed in it so strongly that he has since then served on the board of our school four out of six years.

In the past six years, we have been very pleased with the academic and religious training our daughter has received. Our daughter is not a natural for As; she is a student who struggles and works very hard. At this school, they have taught her that hard work pays off and they have helped her develop a personal work ethic which is very high. I'm proud, as a parent, to say that she has attained an honours standing within the last two months. It has been wonderful to see our daughter excel in this environment. This school has been a safe, loving and nurturing environment. The children have a sense of family, not just community. The school supports our personal moral and religious convictions, the standard of education is very high, the teaching is excellent and the class ratio, on average, is 16 to 1.

We are so thankful that we have the choice to send our daughter to this interdenominational Christian school where our values and morals are reinforced. I'm very pleased to see Bill 45. It may well assist our family to continue the education of our daughter in this fashion.

During the past six years, our family has undergone great sacrifices—and, may I add, we were very willing to do so—to have our daughter attend this private school. This tax credit by no means will eliminate our personal cost or sacrifices that we make to put her in private education. Our family is not an affluent family enrolling our daughter in a private, elite school. Instead, my husband is a blue-collar worker and I work part-time providing child care in my home to assist in paying for my daughter's education, our home expenses and to enable me to be a stay-at-home mother. We are a family that values high standards of education and wish to have our values, morals and religious beliefs reinforced in our school system, and our choice is available in our local Christian school at Glad Tidings Academy.

I believe that this bill will also make it possible for other families to have more equal opportunity to better afford, and the freedom to make the choice of, private education if it best suits their child and their family needs. I also believe that the choice of private education should not be available to only the affluent but, if I can restate it, I believe that all Canadians should have equal opportunity to have private education if it best suits their family needs, whether it's cultural, religious or specific academic needs.

I would like to thank the Chairperson and board members for the opportunity to speak on behalf of my family and possibly represent many other families that have already chosen to do so.

The Chair: We have five minutes per caucus. I'll start with Ms Martel.

Ms Martel: Thank you, Mrs Gibson, for coming today to express your point of view. You know, if you've been sitting here at all this afternoon, that we have a different point of view. I would relate to you what I said earlier this morning, because I know you wouldn't have had a chance to be here when the representative, Ms O'Brien, from the Montessori school was here.

I respect your ability to send your child to a private school. That is not a right that we want taken away. My concern continues to be that I fundamentally believe that, as a government, providing funding for parents now to do that through the tax credit will have an impact on the funding of public education. When the government says this \$300 million is not \$300 million that would have gone into public education, I don't believe that. I think it is, because the Minister of Education, six months ago, said that was exactly the case. Now she has changed her tune, but in fact that was the position of the government. So I continue to believe that that is money which should go into the public system.

Secondly, I'm also concerned that the government will not stop just at the tax credit, but that this is a first step toward the establishment of charter schools in the province, which I and my party are also opposed to.

So for those two reasons, from the beginning of the government's introduction of this bill, we have taken a position that we do not believe public money should be used to support private schools. You were good enough to come and to give us your view on that, and because you weren't here when I described my view earlier this morning, I wanted to make sure I could explain that to you so you would know what our position is and why.

I don't have any questions, I just wanted to make sure you understood.

The Chair: Do you want to reply?

Mrs Gibson: No. I was here. I snuck in a little bit this morning and heard the Montessori presentation. Again, I am not a political person. I am here just representing people who have already made much sacrifice.

I have been a taxpaying citizen through residential for over 23 years. I have paid taxes on my residence and at other times other properties that we have had. We have always paid our taxes. We have been allotted the public school system, not by choice, but that's where we are. In the past we have tried to change it over to the Catholic system, because we felt that would be where we would want our money allotted. Through the city level we were refused because we are not practising Catholics. I don't believe the money we have paid out has really been applied to our daughter's education, but again I believe this is what we would do. Whether this bill goes through, I will continue. The education for my daughter from JK to grade 8 will be approximately \$31,000, which is the cost that I paid for my original first home 23 years ago, and I believe it is a tremendous sacrifice.

As I say, I can't speak politically, because I'm not a political person; I don't understand all these things. But this is tax money that I have paid, and not necessarily just that, but a credit, if it's \$3,500, will not give me \$3,500

back. I won't get that tax credit. It won't balance out what we pay out. Private school is a small number compared to the public and Catholic.

1550

The Chair: The government side.

Mr Hardeman: Thank you very much, Helen, for the presentation. I just quickly want to go to your comment to Ms Martel that you had tried to put your child in the Catholic system.

Mrs Gibson: No, I said I had applied to have my personal residential taxes changed from the public system to the Catholic system, because if there was no private Christian school, I would either home-school or, as a school choice, I would choose the Catholic system. I applied at the city level to have my taxes redirected to the Catholic board because I wanted to support a board that I believed in more strongly, and I was refused because I am not a practising Catholic.

Mr Hardeman: To get it correct, you were refused the right to move your taxes, so in essence you were also refused the right of your child to be put in the Catholic system.

Mrs Gibson: If I wanted to put her into the Catholic system, I could, but because my daughter was not in the school system and because I was not a practising Catholic, I could not redirect my tax dollars.

Mr Hardeman: The other thing is, I just quickly wanted to reiterate your comments about the tax credit. Of course, we all know on the committee, and I'm sure everyone in the audience knows, that the implementation of the tax credit will be \$700 maximum the first year, which is for the school year 2002, to be paid out in the year 2003. It's quite obvious from that that your choice as a parent was not predicated on a future tax credit. You really believe as a parent that this is the right education for your child.

Mrs Gibson: You are correct.

Mr Hardeman: I guess I just want to throw it in here now. Our previous presenter—and I know John is still with us, so I'm not trying to say this behind his back—made the comment that parents don't know what's best for their children, they only know what they think is best for their children. How would you relate to that? Do you think that parents aren't the appropriate people, that we, the people at Queen's Park, are better equipped to make a decision on what's best for your child, a better decision than what you could make?

Mrs Gibson: I don't know if I can really comment that clearly on it, but I believe as a parent you know the personality, you know the belief system, you know the values that you want and you know your child's educational needs. I'm not saying that the public system wouldn't have done it, I'm not saying the Catholic system wouldn't have done it, but as far as academically, where my daughter struggled, the school was there for her, the tutoring was there for her, whatever her needs were. The work ethic that has been brought up through this school has met her needs. I believe in my heart that

my husband and I both know what is best for our children.

Mr Hardeman: It's been presented at the committee a number of times that as a parent, whatever you feel is not available in the present two systems could be added to those systems, as opposed to you making the parental choice to go to an independent school. Do you think that would be possible? Could you identify what would be required, and could that be implemented in the public system?

Mrs Gibson: There are very many reasons why I sent her there, one of which is our religious beliefs. At present, I don't see that they are reinforced. Many cultures are shared in the school, many faiths, with different representations. I don't believe fully that the Christian belief is strongly represented. I was raised in a Protestant public school and prayer was part of my life growing up. Those things are no longer there. So, religiously, I would like to see something and I don't know how that could be done because of the way society is. You don't want to offend another to adopt to another. I think also the ratios—I don't know how the public and Catholic systems could have 16 to 1.

The Chair: On behalf of the committee, thank you very much for your presentation this afternoon.

Mr Kennedy: Excuse me.

The Chair: Oh, I'm sorry, Mr Kennedy. I thought I had a little bit more time.

Mr Kennedy: It's only the third or fourth time, but we don't read anything personal into that. It's been a long day for everyone.

I appreciate very much your presentation. I think there isn't anybody in the room who doesn't recognize sincerity in what you've given us to consider today. We've been given very constrained circumstances in which to consider this. I suspect you have nothing either to hide or to not divulge in terms of your school experience. Most of this has been rushed through. Two days from now, we're going to be asked to vote on this. We won't even get a chance to read the transcription of your remarks before we're asked to vote. That's how limited this proceeding is.

I wonder if you would consider for us some of the larger issues here. You talked about 16-to-1 class size. The public system had a growth in class size until a few years ago and then the government arrested it and said, "We're going to bring it down a little bit." But it's still much higher than it used to be. We've said, for example, \$350 million could bring a cap of 20, on the road toward 16. The kind of thing you find so beneficial could be brought, with the right kind of commitment, into the public system. I just wondered, do you think that would be generally beneficial and useful and maybe even necessary?

Mrs Gibson: I have to think. I still say that I believe the choice of my education is what I would want to support. I don't know that what the public school system is teaching would suit the needs of my daughter. Yes, you can bring it down to 20 to 1, but there are a lot more

issues. I have had experience with the public school board. I lived in the west end for 18 years. During that time I was a foster parent and I had many of the children in my care attend public school. Unfortunately, the experience I had with them—they were problem children and some of the techniques the teachers were using I did not feel were suitable in any school, religious or whatever. I just feel that I don't know that the public school system could come to what I would want.

Mr Kennedy: I appreciate what you just said, which would be more fair-minded even, to consider it for your own children. I was asking just as a fair-minded individual, would it not be a good thing for all those other children to also enjoy something approximating what you're finding at Glad Tidings, to have those smaller class sizes? Would that not be indeed an important goal for any government to take on and try and deliver?

Mrs Gibson: I think smaller class sizes would definitely benefit the children and the teachers.

Mr Kennedy: I don't know how wide your experience is of some of the alternative schools, but do you think that maybe some would be attracted back? You have already expressed, on your family's part—and I appreciate your struggling with that; I know those are personal decisions—that some might find it more beneficial, that more of their individual needs might be met under that kind of circumstance.

Mrs Gibson: In a smaller ratio at school?

Mr Kennedy: Yes.

Mrs Gibson: Possibly.

Mr Kennedy: That's the commitment our party has made. That's something we would do in terms of making this happen.

The province hasn't been asked to look at your situation exclusively. It's been asked to consider a wide-open exemption for all kinds of private schools. They could be religious, they could be anti-religious, they could be whatever nature people would like to make them and they would be eligible for this tax credit. Do you have any comment or any insight as to why the government came up with such a wide exemption? The only study there has been is the Shapiro report of 1985, and it said that the worst funding for public education, to consider private schools, would be the tax credit or the voucher system. It said it wouldn't be good for religious schools either but it would be great for private sector schools.

You may have heard earlier today that if you get any kind of tax credit at Glad Tidings—and I assume there might be some—you're benefiting less than the private schools. They are the main beneficiaries of this new initiative. I heard you talk about words like "choice" and so on, but do you think it's reasonably fair that if we've got scarce resources and large class sizes in the public system—and you've got a case which we've said, in our party at least, deserves to be heard, but we don't believe this is at all the way to meet it. We think there has to be some kind of response within the public system. We think public money belongs in public schools. But at least we have acknowledged there's something to be

heard here. Why has the government made this so wide? Why are all manner of schools in it? Why does all kinds of consideration have to be there and why is it that families such as yours are the only ones that we see coming forward to defend something that is much bigger than their own particular circumstance?

Mrs Gibson: Speaking from my personal experience, I'd have to say I don't know. I don't know why the government has chosen it. The only thing I can say is that I can see this bill would benefit the families that have made this choice. My reason for speaking is that I believe each family should have the freedom of choice, and if they can have some assistance, then that would be great.

Mr Kennedy: Can I ask you just a little bit on that point? You are obviously participating with a community, of a kind. At your school there is a community coming together. Part of what we do in public education is ask people to consider community, not just to consider the well-being of their child and that's it; to make some sacrifice. We make everyone go to school, for example. That's compulsory. We don't do that very often, but we think that's something all society would benefit from.

Your conscientious objection aside, isn't it a good idea to have the strength of public education being our main focus and our main commitment, so that we're able to deliver something like a community that cares about the schools and delivers at least some of the things that you might expect? I understand the religious and conscientious objection you have, but on the other levels, isn't that fairly important?

1600

I would put to you that the voucher system, which is what this is called in the States and almost any place else, allows people to walk away. I see it as a very lazy approach. It means you don't work hard, you don't buckle down, you don't try and resolve your differences. You end up with people going any which way they can, but only those who either can make an extraordinary sacrifice or who can afford to. It just seems to me this isn't a very good fit with the kind of systems we've had. It doesn't acknowledge community at all. It's anti-community. I just wonder if you have any comment.

Mrs Gibson: I think within each ethnic or religious—when you present a private school, there is a community. I know in our school, our school is not just separated to evangelicals. We have kids who are of church backgrounds, we have children who are of non-church backgrounds. As I say, I'm not that well-spoken that I feel I can speak on great issues other than my personal experience. I see that this could benefit. I don't know if there's another answer to assist families that have made these choices, but I think we should all have the freedom of choice.

The Chair: On behalf of the committee, thank you again.

GLAD TIDINGS ACADEMY

The Chair: Our last presentation this afternoon is from Glad Tidings Academy. I would ask the presenter or presenters to please come forward and state your name for the record. On behalf of the committee, welcome. You have 20 minutes for your presentation this afternoon.

Mr Michael Versluis: My name is Michael Versluis and I'm the chair of the board of Glad Tidings Academy. I would like to thank the members of this committee for the opportunity to speak to you today. I recognize it's late in the day and you have heard many people speak already, so I'll attempt to make my remarks as brief as possible.

I represent today the interests of Glad Tidings Academy, an elementary school that is operated by the charitable organization known as Sudbury Christian Schools Inc. Our organization has operated a Christian faith-based school in this city for over 19 years. We currently have 72 students enrolled in our school and a staff of six. Our base tuition rate is approximately \$3,500.

Our school strives for and has achieved a high academic standard for our students. We are not an elitist school and our enrolment reflects the broad spectrum of academic abilities and social status. We encourage each of our students to work hard and to achieve their own personal best.

We integrate into every aspect of our curriculum the foundation of our Christian faith. This is the characteristic that makes us unique from other private schools; it's our emphasis upon our Christian principles. As you are aware, over the last several years the public system has been stripped of any of the historical traditions of Christianity within their schools. While we are not here to discuss this issue today, let it suffice to say that the exclusion of Protestant Christian faith from public education has created a climate where families with strong faith have been forced to create their own alternatives.

Our school, like many others, was started by parents who have strong Christian beliefs that they want to pass on to their children. For 19 years, it has been individual families who have shown, through their sacrifice, that they are committed to the cause of Christian schooling. The tax credit provision in Bill 45 is the first time parents have received any support for such a choice.

While we do not presume to speak regarding the motivation of the government in bringing this initiative forward, we applaud the fact that they have chosen to directly assist families who make a choice for a school like ours.

It ought to be noted that our school and most other faith-based schools have not asked the government for direct funding. Even though there is an inequality that exists within our province, where our government fully funds one faith-based system and does nothing to assist others, it is not our desire to seek such funding for our school. We do not wish to become encumbered by a great

amount of government interference. We do, however, support parents who, without malice, continue to support schools they do not use. We feel such families should be helped through the tax system.

Our school and our families want to be free to have input into their child's education, thus we support the fact that this initiative directly benefits the families who are choosing faith-based education. We feel this is but a small gesture acknowledging the sacrifice these families are making.

This tax credit is not going to assist only wealthy families who are attempting to raise up an elite class of children. Glad Tidings Academy represents working families who are struggling to meet the obligations of family life. For the most part, our school families are led by parents who work to pay for their children's education. It's a personal sacrifice they make so that their children will go on to make a difference in the schools they will later attend and ultimately become productive citizens of this community.

We, as a school, do everything we can to assist our families. We have kept our tuition rates to a minimum. We share facilities with a local church and our staff make personal sacrifices for the sake of what we believe in. This tax credit will not directly benefit our school; it will simply ease some of the strain on families who choose faith-based education.

Finally, let me address the issue of the threat this initiative makes to public education. There have been many who have spoken up to say that this proposed legislation will be the undoing of public education. I do not attempt today to address the many issues that public educators have had to face with the government over the last several years, but I would like to say it is our belief that schools like ours do not pose a threat to local public schools.

It's my understanding that in other jurisdictions where similar credits have been given to families, there has not been a mass exodus from the public schools. After all, families choosing schools like ours are not simply choosing us for our high academic standards or our small student-teacher ratio; they are choosing our school as a way to strengthen the faith of their family. Our community will continue to need and want a strong public education system that will adequately meet the needs of a pluralistic society. The public schools have clearly defined themselves as non-faith-affirming institutions. Therefore, schools like ours have risen to the challenge of filling this void.

The problem that has existed over the last few years is that families who have chosen faith-based education have also been forced to continually fund a system of education that their faith has been shut out of. It is my opinion that Bill 45 does not threaten our public education system but simply supports minority families who want to train their children in a cultural or faith-based school.

I thank you once again for the opportunity to submit this brief today and I respectfully submit it.

The Chair: We have four minutes per caucus, and I'll start with the government side.

Mr Spina: Thank you, sir, for coming forward. Mr Kennedy earlier said that the world is wide open, that we are issuing these tax credits to anybody who wants to open a private school. I suggest, first of all, that part of the reason for these hearings is to gain input as to what criteria should be applied to the tax credit, to determine who should or should not qualify for these tax credits. Do you have any opinion on what kinds of criteria we should be looking at?

Mr Versluis: I'm not sure that I really can comment on that. I'm not up on what all other schools are doing. I'm certainly not involved in other schools. I have children who attend public school and I have children in our private school, Glad Tidings Academy. But I certainly wouldn't criticize the government for setting some standards related to the criteria that would be required for the tax credit. Whether or not we would fit the criteria really wouldn't make a difference. Individually, as a school, we made our decision to have a school before there was any tax credit or there was anything given, so we would continue to do that. Our future does not rest upon the decisions made by the government related to this tax credit—for sure. It's possible that we might qualify under a certain level of criteria or it might be that we would be excluded, but at the same time I think it's important that there be some acknowledgement for the choices made.

Mr Spina: In part of your presentation you made a statement on page 2 that says, "We do not wish to become encumbered by a great amount of government interference." That question will come forward from the others, so I'll bring it forward now. I guess that ties in with my comment or my question, and that is, if we were to look at criteria as to which schools would qualify, what constitutes government interference? Would having to meet standardized testing be considered that? Would having teachers qualified or certified under the Ontario College of Teachers, for example? Should those be considerations? Would those be considered interference or not?

Mr Versluis: Those specific things wouldn't be considered interference. I think if any funds were attached to any requirements related to what we would teach regarding our religious beliefs and where our religious beliefs crossed into curriculum, for instance, that would be an issue we would be opposed to having any involvement in. As far as the accreditation or qualifications of our teachers, I don't think there would be a problem with that as well.

1610

I think it's the Ontario college that has excluded many teachers from private schools. It hasn't been the teachers who have not wanted to be part of the college, but rather they have been excluded because they chose an education, again probably a faith-based education, and they were forced to go to a school outside of one that the Ontario college approves of. I think if there was some

kind of movement there, if there was an openness by the Ontario college to receive many of our teachers, then it would be a possibility that we wouldn't have anything opposed. We do have some teachers who are certified by the Ontario college but not all of our teachers are, because, again, they have been trained in another institution.

As far as our students meeting the grade, we have no problem there at all. We certainly believe that our students, if they were tested equitably—we're not an elitist school, as I mentioned, so all our students are not on the top of the heap. However, when our students are scored on international tests, they score well above the average, even though we have a broad spectrum of academic abilities. We would have no problem with that if the testing was provided in a fair and equitable way toward our students, and our students were not prejudiced against because they were not using a specific curriculum.

Mr Kennedy: Thank you for your presentation. There was an earlier comment about international testing scores and that Ontario public schools weren't doing well. In fact, we've done very well and a lot of our international scores are extremely good.

Mr Versluis: I'm not speaking about the public schools at all.

Mr Kennedy: That was just for the general record here. In fact, one of the most high-achieving boards was in Durham region, and now it's been racked with all kinds of problems, some of which local people attribute to the lack of response from the government. It's ironic that that has been the case, that one of the most acknowledged boards in the province has since been hit by at least some level of policy—

Mr Versluis: But equally, in the same way, a lot of private schools are put down as if they have an inferior quality of teaching or an inferior quality of curriculum because they don't use exactly what the ministry approves. The prejudice goes both ways.

Mr Kennedy: And indeed some schools feel the same way because it's one size fits all. You are outside that big footprint from Queen's Park, but it's almost a Soviet-style thing, where it reaches into every classroom. Some teachers say they want to close the door and keep the politics out, but every time they turn around, knock, knock, there's Mr Harris or Ms Ecker giving them something new to contend with. I think, objectively, there's been so much interference and so much centralization, I can understand some of the appeal of staying outside of that.

I want to ask you a fairly serious question. We have a short time to consider this on its merits. There is a consideration that, for your school, there's a much broader consideration the government has asked us to look at. The government party says, "There will be some kind of guidelines. We'll see if we have any amendments tomorrow." This legislation has no guidelines whatsoever and none of the selected officials get any input into the

regulations. They're done behind closed doors. They're done without any public scrutiny whatsoever.

A year ago, this is what the government had to say about this kind of proposal: "It would undermine the ability of public schools to build social cohesion, tolerance and understanding." That's what the government said. This was their official deputation to the United Nations. They said, "It would result in disruption and fragmentation of education in Ontario." Those are the exact words. In fact, the Premier of this province and the Minister of Education, leading policy and leading funding decisions in this province, said that's what it would do. Now here we are, a year later, no other studies have been tabled, we're in this very rushed discussion, and we're supposed to believe that somehow the government has had a change of heart. They've done this total, complete, double-ended flip-flop and we are supposed to look at this as something having merit.

You said yourself your school would continue without this. You perhaps were asking for something but you weren't banging on the door, and if it doesn't happen your community is going to continue. Where did this proposal come from? Why do you think the government is suddenly putting this on the table after denying and denying that they had any interest in this? Where is it coming from, and if you have any insight to that, why are we being so rushed about it? What's the big hurry?

Mr Versluis: As a supporter of private school education, I would hope it's because the government has seen the merits of private education.

Mr Kennedy: Talk about a conversion of experiences. I don't mean to belittle that, but it's a point.

Mr Versluis: I have no idea why the government does what they do. We're just here today because we see the fact that they have made a decision and we are probably as surprised as you are.

Mr Kennedy: You can understand the view of others.

The Chair: We've run out of time. Ms Martel.

Ms Martel: I think it shall be termed the conversion on the road to Damascus.

Mr Versluis: They saw the light.

Ms Martel: You know we have a difference of opinion, but there was a point you raised that I did want to respond to because it's a question we raised in the Legislature. The one other jurisdiction that has put in place a tax credit proposal the same as this government is putting in place is Milwaukee, because in other jurisdictions there have been different methods of funding private schools. So the one we have a direct comparison to is the system that is already in place.

What worries me greatly is that that experience showed that 15% of families pulled their children from public schools to move into private schools. If we use what is the most direct comparison and we overlay that into Ontario, that would mean about a \$2.3-billion loss to the public system, with parents taking their children out and moving them into private schools, which would have an enormous impact on funding for the public school system, over and above all of the concerns we already

heard here about the consequences we've already seen with the cuts. When we look at what other jurisdiction is using this and what has been the effect, this really worries me, because I don't see why parents wouldn't do the same thing here in Ontario that has already been done in a jurisdiction that has adopted exactly a similar proposal.

Mr Versluis: I think it's important to address the issue of what would happen to the funding for the public school system because I believe in a strong public school system. I have children in public school so I don't want to see it depleted either. But at the same time, I would want to carefully look at the demographics of Milwaukee and see which kinds of schools those students went to. I know we in Canada are not the same as the US. Faith-based schools, for instance, are much stronger in the US than they are in Canada. There's a much larger proportion of faith-based schools in the US. If, for instance, 10% or that 15% went to faith-based schools, I would say it's probably not going to happen in Canada, but I don't know. I think it would be more interesting to look at a Canadian population, which is more pluralistic, and you'd have to have a big jump in the number of private schools. As it is, there are 730 private schools in Ontario, and 102,000 students out of 2.1 million are attending private schools. A 15% increase in that wouldn't be that much.

Ms Martel: I'm curious because you said you wouldn't see that proportion if it was a question of them moving to a faith-based school. Why? This is not meant as disrespect, but clearly in the arguments you've raised and those that were raised before you, there are any number of people who are feeling like the public system is not responding to their religious needs.

Mr Versluis: And that's true. That's a problem we're not really addressing in this issue, because Protestant Christianity for years was part of the public system—the Catholic system and the public system. The public system at least gave some kind of reverence to the Protestant way of thinking and to the traditions of the Protestant church. That's just not there any more. It's not even allowed. It's discouraged and it's banned in many school districts from anything being there. That's really what we have responded to and what our group of people has responded to, and others. I don't think people would leave the public school system en masse for that reason in Ontario because I don't see that being an issue for a huge majority of people in Ontario.

The Chair: With that, we've run out of time. On behalf of the committee, thank you very much for your presentation.

There's one notice I would like to pass on to the members. I would like to remind all the members that amendments are due tomorrow at 4:30 at Queen's Park.

With no further business, this committee is adjourned until 10 o'clock tomorrow morning at the Marriott Hotel in Ottawa.

The committee adjourned at 1619.

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**Legislative Assembly
of Ontario**

Second Session, 37th Parliament

**Assemblée législative
de l'Ontario**

Deuxième session, 37^e législature

**Official Report
of Debates
(Hansard)**

Tuesday 19 June 2001

**Journal
des débats
(Hansard)**

Mardi 19 juin 2001

**Standing committee on
finance and economic affairs**

**Responsible Choices for Growth
and Accountability Act
(2001 Budget), 2001**

**Comité permanent des finances
et des affaires économiques**

**Loi de 2001
sur des choix réfléchis
favorisant la croissance
et la responsabilisation
(budget de 2001)**



Chair: Marcel Beaubien
Clerk: Susan Sourial

Président : Marcel Beaubien
Greffière : Susan Sourial

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LEGISLATIVE ASSEMBLY OF ONTARIO

STANDING COMMITTEE ON
FINANCE AND ECONOMIC AFFAIRS

Tuesday, 19 June 2001

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

COMITÉ PERMANENT DES FINANCES
ET DES AFFAIRES ÉCONOMIQUES

Mardi 19 juin 2001

The committee met at 1000 in the Marriott Hotel, Ottawa.

RESPONSIBLE CHOICES FOR GROWTH
AND ACCOUNTABILITY ACT
(2001 BUDGET), 2001LOI DE 2001
SUR DES CHOIX RÉFLÉCHIS
FAVORISANT LA CROISSANCE
ET LA RESPONSABILISATION
(BUDGET DE 2001)

Consideration of Bill 45, An Act to implement measures contained in the 2001 Budget and to amend various statutes / *Projet de loi 45, Loi mettant en oeuvre des mesures mentionnées dans le budget de 2001 et modifiant diverses lois.*

The Vice-Chair (Mr Doug Galt): We'll call to order the standing committee on finance and economic affairs. Just a couple of announcements as we get started. For those of you who have the translation equipment, channel 7 is English, channel 8 is French and 0 is from the floor.

We'll be following the rules of the Legislature with this committee. We don't expect demonstrations. We expect an orderly meeting to take place. If anyone in the audience or any of the members have cell phones, please turn them off now. They are not tolerated in the Legislature, and we'd appreciate if they didn't ring and interrupt the meeting here today.

The other issue that may bother some of the members is the air conditioning. Half of the room is on and half is not. The reason is that it's feeding back through the microphones. If we get too uncomfortable, maybe call a point of order and we could turn it on and see how the microphones handle it.

MARTHA JACKMAN

The Vice-Chair: The first delegate is Professor Martha Jackman, Faculty of Law, University of Ottawa, if she'd come forward at this time, please. Welcome. In total, there are 20 minutes for your presentation and responses or questions from the various parties. Once you've finished, we'll divide the time between the three parties and they'll be able to ask you some questions for

clarification. For the sake of Hansard, would you state your name.

Ms Martha Jackman: I'm Professor Martha Jackman, of the Faculty of Law at the University of Ottawa. My area of expertise is social and economic rights. I'd like to thank the committee for inviting me to appear this morning.

I'd like to do a few things quite briefly. First, I'd like to reiterate the historical constitutional objections to the current funding formula under the Ontario Education Act. Secondly, I'd like to review the constitutional framework within which the tax credit that's being discussed this morning must be assessed. Thirdly, I'd like to discuss with you some of the clear constitutional objections that can be raised to the tax credit. Finally, I'd like to discuss the measures which I believe the Constitution mandates should be taken in the area of school funding.

As the committee members are no doubt aware, the discriminatory funding formula under the Ontario Education Act has been challenged both domestically and internationally. The fact that in Ontario Roman Catholic religious schooling is funded where other forms of religious schooling are not was challenged domestically through a reference in 1987 and again in the Adler case in 1996. In both cases, the Supreme Court of Canada held that in view of section 29 of the Canadian Charter and the fact that the provision for Catholic school funding was set out under section 93 of the 1867 Constitution, there was no judicial remedy available for the discriminatory funding of Catholic education and that the remedy to that discrimination had to be a political one.

In 1999, the UN human rights committee also held that discriminatory funding of Catholic schooling in Ontario violated section 2 of the International Covenant on Civil and Political Rights, and it asked the state party to provide a remedy to that discrimination.

The constitutional framework for assessing the equity in education tax credit is both a domestic and an international one. The International Covenant on Economic, Social and Cultural Rights, under article 2.2—and there is an equivalent provision under the International Covenant on Civil and Political Rights—prohibits a state party from discriminating based on religion, sex and social condition, among other grounds. Article 13.1 of the international covenant guarantees the right to free public education. That education should be directed to

strengthening respect for human rights, to enabling all persons to participate effectively in society and to promoting understanding and tolerance amongst all ethnic, religious and racial groups.

Article 13.3 of the covenant requires state parties to respect liberty of choice of parents in terms of religious schooling. However, as the UN human rights committee underlined, article 13, and in particular article 13.3, does not impose any obligation on state parties to fund religious schooling.

Domestically, section 2(a) of the Canadian Charter guarantees freedom of religion, and section 15 of the Canadian Charter guarantees equal benefit and equal protection of the law without discrimination, including based on sex and the analogous grounds of sexual orientation and social condition or poverty. Section 36 of the Constitution Act, 1982, commits Parliament and the provincial Legislatures to providing all Canadians with equal access to essential public services, of which education is clearly one.

Against that backdrop, what constitutional objections can be raised to the proposed tax credit? In a sense, the proposed tax credit violates both international and domestic equality rights principles. First of all, and particularly in the fact that the tax credit is not restricted to religious schools but extends to private schools of all kinds, the tax credit proposal, and the tax credit if it were implemented, discriminates on the basis of poverty or the analogous ground of social condition under the Canadian Charter. By definition, private schools with private school tuition are designed to perpetuate systemic discrimination based on social class, and as such they are objectionable. Public funding for private schools is equally objectionable.

Public education, as the Royal Commission on Learning noted in 1994, has a crucial role to play in ensuring that low-income children have equal access to education and also equal access to opportunities to advance themselves in Ontario's society. Using public tax dollars to fund private schools discriminates on the basis of poverty. Because poverty is predominantly a characteristic of children from sole-support families, the measure is also discriminatory based on family status. Given the unfortunate disproportionate poverty among racialized minorities in Ontario, the tax credit is also discriminatory based on race.

Secondly, the proposed tax credit is discriminatory based on gender. Again, the Royal Commission on Learning in 1994 underlined the existing systemic barriers to girls that still exist within the Ontario public school system, in terms of sexist curriculum, perpetuation of sexist stereotypes and also sexism in school administration, where women are still limited in their advancement. The public school system has taken many steps to overcome the historic and systemic sexism in public schooling in Ontario. In fact, gender equality is an underlying norm of public school education in Ontario. As such, access to fully funded public education is essential for the equality of girls and women in Ontario.

Conversely, the religious, cultural and social norms which underlie much private religious schooling perpetuate stereotypical discriminatory ideas about the role of women—the fact that they should be confined to the private rather than the public sphere—and also discriminatory attitudes around issues, for example, of reproductive choice for women. Again, public funding of religious, cultural and social private schooling that is not required to adhere to the same requirements as the public school system in terms of recognition and advancement and of sex equality for girls is both reprehensible and illegal.

Finally, the proposed tax credit discriminates on the basis of the recognized ground of sexual orientation. Again, many of the religious and cultural private school institutions which this tax credit will benefit hold as a fundamental tenet that sexual orientation is morally reprehensible. Providing public funding to private religious educational institutions which hold these views about gays and lesbians is not only ethically repugnant but constitutionally impermissible.

1010

Finally, the proposed tax credit doesn't respond to the UN's concerns in the Waldman case. What the Waldman case made clear is that in order to remedy the discrimination inherent in section 93 of the Constitution Act and the Ontario Education Act in terms of funding of Catholic schools is either full funding for all other religious schools—funding equivalent to what's provided to Catholic schools—or no funding to any religious schools. Clearly, full funding of all religious schools would be objectionable on many grounds, including the constitutional grounds I enumerated earlier.

The only real alternative available to the Legislature of Ontario to the discrimination that was identified in the Waldman case is the repeal of section 93 and the provisions of the Ontario Education Act that provide for funding to Catholic schools. While this might seem radical to the Legislature of Ontario, I hasten to remind you that very recently both the province of Quebec and the province of Newfoundland, with the co-operation of the federal Parliament, adopted constitutional amendments to repeal equivalent provisions that existed in those provinces in order to eliminate discriminatory funding of religious schools.

In conclusion, I would suggest that the Constitution mandates measures with regard to funding of schooling in Ontario. First of all, the Constitution mandates not discriminatory funding to private and private religious schools but rather funding to those segments of the public school system which are currently underfunded. As all UN treaty-monitoring bodies have recognized in recent reports relating to the compliance of Canada with its international human rights obligations, inequities in funding for schooling provided to aboriginal students, students with disabilities and poor students, including racialized students within inner-city schools, should be addressed immediately.

The tax credit which your committee is examining today will inevitably be subject to charter challenge, first,

because of the element of funding to private schooling, which is simply unjustified—it was not called for in Waldman, and it's clearly discriminatory based on poverty and social condition—and, secondly, in its religious elements. Not only does this tax credit not satisfy the requirements of Waldman in terms of full funding for religious schooling if you're going to provide funding to any religious schooling, but it's objectionable on the grounds I outlined above. What I would suggest, then, is that this committee recommend to the Legislature that this tax credit proposal be repealed and that the Legislature turn its mind to the real issue here, which is section 93 and the discriminatory funding of one type of religious schooling, as well as the underfunding of the public education system as a whole.

Thank you very much, and I'm happy to address any questions in English or in French.

The Vice-Chair: Thank you, Professor Jackman. We have about a minute and a half to two minutes per caucus. We'll begin with the official opposition. Mr McGuinty.

Mr Dalton McGuinty (Leader of the Opposition): Thank you very much, Professor, for your presentation here today.

One of the things we've been asking the government to produce are any studies, any reports of any kind, on which they relied as background information or that would support this policy. They have yet to do so.

On the other hand, we've had all kinds of information and an extensive and thoughtful legal brief that was presented before the UN and prepared on behalf of the Ontario government, arguing against the very type of policy it now advocates. I just want to say it was very helpful to the committee to receive your considered opinion in terms of the legality—the constitutionality—of this policy.

Do you have any reason you might offer as to why the government might have proceeded with this policy that certainly extends beyond the bounds of what the UN addressed? I just wonder if you might offer any insights in that regard.

Ms Jackson: Since I'm appearing this morning as a constitutional expert rather than as a parent of children in a public school system, all I can say is that I think the documentation to which you refer would make it difficult for the government of Ontario to justify, under section 1 of the charter, the violation of the various charter rights I have identified.

The Vice-Chair: You have about 15 seconds if you have any more comments?

We'll move on to Mr Marchese.

Mr Rosario Marchese (Trinity-Spadina): Professor Jackman, I understand the arguments you're making, but a number of deputants—including Christian schools and the Canadian Jewish Congress—recognize they don't have full funding now, but they're quite happy with partial funding. While they may lobby for full funding, in the meantime they're all saying this is addressing their concerns on the basis of human rights discrimination. So

while I presume they would lobby for full funding, in the meantime they're saying this is OK and they're happy the government has done it. I'm not sure how you would respond to it.

Ms Jackman: Again, from a constitutional point of view it may well be that the schools and the parents who will receive the benefit of this tax credit may be happy, because it's probably more than they expected, especially given the recommendations of the Royal Commission on Learning in 1994 and the government's submissions to the UN committee. It remains that any level of funding to private religious schools is a violation, in my opinion, of charter guarantees and does not respond to concerns raised by the UN committee under the international covenant.

The Vice-Chair: Anything else? No? The government side. Mr Guzzo.

Mr Garry J. Guzzo (Ottawa West-Nepean): Professor Jackman, thank you very much for your far-reaching comments. They take us past this legislation, and I commend you for that. I want to go even further. I think I'd be misleading you or the committee if I said we haven't considered the constitutional challenges that are probably forthcoming. If you're right—and let's assume for the moment that you are—then we're into the notwithstanding clause. The only way to preserve what the government is trying to do here would be the use of the notwithstanding clause. I'd like your comments on the possibility of the use of that clause, not necessarily just with regard to this issue but to other issues, because we have been reluctant to use it.

Ms Jackman: As you know, section 33 of the charter does permit the Legislature to override constitutionally guaranteed rights. The notwithstanding clause has rarely been used in Canada, for obvious reasons. As you may recall, when the Supreme Court of Canada told the Legislature of Alberta that its failure to include sexual orientation as a prohibited ground of discrimination under the provincial Human Rights Code was illegal, certain MLAs in Alberta did talk about invoking the notwithstanding clause. I think the outpouring of public opposition to this—even from certain people who were more or less sympathetic with the rights of gays and lesbians—should be a lesson to the Legislature of Ontario. Given the, I think, very strong public opposition to this measure already, adding insult to injury by invoking the section 33 override clause to immunize it from judicial review would likely be very unpopular.

Mr Guzzo: So I think I'm hearing you say from your perspective—an academic perspective—that the notwithstanding clause should be revoked, correct? Is that what you're saying?

Ms Jackman: I'm sorry, I'm advocating for the tax credit being repealed. I am not discussing the notwithstanding clause.

The Vice-Chair: Thanks very much for your presentation. We appreciate your coming before the committee.

I noticed, just as you finished your presentation, a few people in the audience didn't know whether they should

applaud or not. The Chair is very tolerant and understanding of appreciative applause if they so desire. We don't expect a disruptive demonstration, but certainly we're not quite so formal that you can't give a bit of applause.

Thank you, Professor Jackman, for coming forward.

1020

ONTARIO SECONDARY SCHOOL TEACHERS' FEDERATION, DISTRICT 26

The Vice-Chair: The next presentation is from the OSSTF, District 26, Greg McGillis, president. Come forward, please, and, if you don't mind, state your name for the sake of Hansard. Of course, you have 20 minutes at your disposal for your presentation and what's left will be divided between the three caucuses.

Mr Greg McGillis: My name is Greg McGillis. I am President of OSSTF District 26. I am also an OTF governor and president of the teacher bargaining unit. We represent about 900 teachers, occasional teachers and support staff, including psychologists, psychometrists, social workers and a variety of other professional services areas.

I have to note that this came as a little bit of a surprise, so I had to put this together at the last minute and I'm still sweating from the run over here from having copied it all. So if you'll excuse my glowing demeanour, I'd appreciate it.

The other thing I would note, and it bears repeating, is that it is extremely sad that more people weren't able to present. I see a lot of people in the audience who really would have welcomed the opportunity. As a matter of due process and reasonable consultation, I would have hoped that the government would have considered hearing from more people. I do feel privileged, I guess. It shouldn't be a privilege to present to the government your concerns, but that being what it is, that's what I'm doing.

I've got an executive summary that I'll go through very quickly, and then take some questions. There is quite a bit of study material in the approximately eight pages of the actual brief itself that may not have reached the committee. I've followed some of what's been presented at the committee and I would ask you to take some consideration to looking at that. I think I've put in some specifics about statistical information in relation to experiences in both Alberta and BC, but particularly in Milwaukee, Cleveland and some of the other jurisdictions which have tried vouchers and tax credits of various kinds.

OSSTF, let me just begin by saying, is seriously opposed, and our members, almost every one, are opposed to this measure. I remember four or five years ago receiving a call from a parent and explaining that I thought, as alarmist as it might seem, that Bill 160 and some of the other measures taken by the government seemed likely to lead to the possibility of things like charter schools and vouchers. The parent said, "Certainly

you've made a mistake. You're bringing things in here that this government has never talked about, has never discussed." Now we find it actually, suddenly, in the public domain, and that is a crime, a kind of crime of government. It's disgusting.

The government has essentially betrayed the people of Ontario and even its supporters in proceeding with such an unusual measure, a measure that has met with failure almost everywhere it's gone and that has actually been rejected by every American state where there has been a proposition come forward on the issue. Where it hasn't been rejected, because it's been done by municipal groups, it's usually been ruled unconstitutional under the American Constitution. To say that the Americans have higher principles than Canadians or Ontarians, I would take exception to, and yet it seems that's exactly what we're talking about here. It's something that has been rejected time and time again as a matter of democracy and equity in the United States and that nevertheless has been presented by this government.

It's not the first time this government has done that, taken the unusual step of introducing bad law. I suspect it won't be the last, but I hope that the government, at the very least, will take some notice of the objections of the members of OSSTF, and also of the parents who have spoken to me and to other teachers who are concerned about what's going on here and its potential to fragment the system.

It's our position that the government should immediately withdraw the section of the budget bill which implements tax credit vouchers for private and religious schools. For those who are in the audience who don't know, in fact we're here to talk about the budget, incredibly. That's an outrage. This is a bill on its own. In fact, many people don't realize that it's not a bill on its own. Most people are assuming that we're here only to talk about tax credits, because it is such a serious matter. They would find it unbelievable that it could be snuck in at the back end of a bill. In fact, I had a great deal of difficulty, frankly, finding it. Every time one of these bills comes up, I go looking for it on the Legislature site. It was nearly impossible to find, simply because I just did not know where to look. What do you look under: finance, education? It turns out it's the budget bill, incredibly.

Public education, first and foremost, is a public good. It's something that I think most of us can agree on. This measure at a practical level, regardless of the question of equity, which I guess is not good enough for anyone now, and other issues related to the higher purposes here, will fragment an already fragmented society. We live in a society where students, parents and teachers are finding that it's pulling at the seams. This will in fact make that only worse. It will encourage further school closures over and above what we have. Most parents probably don't realize this is a school closure bill in a very fundamental way. Neighbourhood schools are at severe risk if this bill is passed. The studies in Milwaukee and Cleveland, where private school vouchers were instituted, clearly

demonstrated that there was an outflight because of the limitations of the kinds of people. Of course, in order to get it past the constitutional tests in Milwaukee, what they did was they changed the bill, in the proposition that they finally passed, to allow it to only deal with people who had some form of poverty or some other kind of issue related to that; let's say, they're in an impoverished area of the city, that kind of thing.

Despite that fact and despite the fact that the vast majority of those parents, as the studies found by Witte and by Rouse—Rouse is the other person who studied Milwaukee. In light of those studies, it's quite clear that people in fact were leaving the public school system to join parochial and private schools in droves. Those who had the ability, in large numbers were doing it, not because, actually, those private schools were better. In fact, the studies indicated those private schools and those parochial schools were about the same. The difference clearly was that the perception of parents was that this was a better thing for their children. They had no indication; many of them in fact admitted that it was so confusing they really wished to go back to the old way. That was parents talking. They were saying, "I don't know how to choose a school." One woman said that when the principal greeted her at the door, that was how she chose the school. Maybe the principal in the other school was busy that day, but it doesn't matter; that's how she chose the school. Another man chose a school based on the fact that the façade of the school—I don't know how much more superficial you can get than that—was prettier.

There were stories time and time again from the New York Times and from the Cleveland press and from various other sources of people who simply did not know how to choose a school, had no criteria for it. In fact, the one thing that's impossible for the government to do is to really identify it. Most people have difficulty, even in the profession, to say what a good school is. You can say what they have in them; it's difficult to say that this school is good and this school is bad. It's surprising. In Ontario, until very recently, the vast majority of schools were extremely good. What happened with the government cuts is that undercut and fragmented the system. I ask you not to fragment it any further.

Number two, the government should declare a moratorium on further education reforms until the independent studies of the outcomes of these far-reaching decisions are made. I'll tell you, I didn't originally have this in, but I spent a long time trying to find a study that was talked about in the Globe and Mail that was from OISE, the Ontario Institute for Studies in Education. I have copies of this, but the abstract alone is 28 pages. The actual study is 400 pages and it was only an interim report. The five-year study will be available in probably six to 12 months and it is damning of almost every measure the government has taken in the last five years. They have basically come out—and these are calm, reasoned, even polite, because I've spoken to some of them, trying to get a hold of the study, because the

study—I hate to say it; I don't like to say that I think it was suppressed by the government, but it was essentially impossible. The education ministry did not have a copy of the study. No one in education had a copy of this study. I believe that most of the people here, the MPPs included, would not have copies of this study. It's a shame that this study is not in the hands of every government member and every opposition member to go over this and find out what it is that we're doing wrong in this government.

1030

There are very serious issues that are raised by this. First of all, they call it the paradox of reform: that the government's reforms have been implemented in such a way that they have created a paradox that whatever the government does seems to have the opposite effect. That's really quite incredible. In the history of public policy, I would bet there aren't too many examples of that. It's certainly irresponsible in an area like education. It may be much more serious in areas like water and natural resources, but maybe I would make the case that it's just as serious when the children of our province are being so much affected by these serious changes which clearly are not working in almost any case that these people at the Ontario Institute for Studies in Education found.

This is a longitudinal study, so it will be a five-year report that basically begins with the government's reign, with the government's first time in office, first changes, and ends in the next couple of months. I've spoken to people at OISE who are saying that their concerns have been magnified in the last six months and that what seems to be happening, actually, is a kind of delayed effect. The changes that happened four and three years ago are only just working their way through the system and people now are starting to react to them. The damage being done right now will take another four or five years. You can see the amazing multiplying effect of this. If already it's clear that these reforms have not worked for the last four years, and if the current reforms that are proposed, which are so much more damaging than anything the government has done, are proceeded with, what will happen? What will be left of our public education system in 10 years? It is staggering. I don't think the people of Ontario can afford another Tory government, frankly.

The government should increase education spending for next year by \$2.3 billion.

This is another thing I found. In fact, what got me on to it was the CCPA study, and I notice Erika Shaker is here in the audience—in the gallery, I guess it's called here. Andrew Coyne's response, actually, was the thing that got me going on this and starting to look into the economics of education and how it balances out against other kinds of sectors. Education, and health in some ways too, is not something that yields easily to technological innovation. The easiest way to improve education and to invest in society through education is to lower class sizes. Every study tells us that. Yet the government

plans to increase class sizes or to provide for the increasing of class sizes again.

Again, there's a kind of paradox involved here. While you have education contributing to increased productivity of the workforce in a very real, substantial way, and to a civil and civilized society—let's not forget that—at the same time, education costs actually rise, of their nature, faster than the rate of the CPI. So when Andrew Coyne says, "Maybe education doesn't rise at the same level as the CPI; maybe those cuts don't matter," he's right but for the wrong reasons. Education, because it's a labour-intensive kind of thing and because it's a public good, because it's not possible for people to properly assess the educational quality of different kinds of schools and different kinds of programs, that's partly what makes it a public good. It's something the government can do better than the private sector. But the other thing that makes it important is that education will constantly consume more resources at a faster rate than the rate of inflation. Because it is so labour-intensive, it's called unbalanced growth. It's an aspect of growth that economists have known about for many years. I didn't know about it until only five days ago but I've read a lot about it since I knew I was going to be presenting before this committee. It's quite clear that that's exactly what education is. In fact, education in many cases is taken as the pure example of unbalanced growth.

By putting back that \$2.3 billion that the CCPA suggests the government has taken out simply by a combination of the actual cuts and the cuts to inflation, that \$2.3 billion doesn't even then get us back to where we were four years ago. I'm sorry to question my colleagues in the CCPA, but I believe they've actually underestimated it. That's a sobering thing as well and it's very serious. Do I hear Erika Shaker back there?

The government should return to local governance of education. Honestly, the government has shown it cannot be trusted with the reins of this institution. By proposing this, it has discredited its entire education agenda in a very real and substantial way. It is the one thing that many people said when they called me four years ago, "You can't be serious. I heard you say in the media that this is going to lead to charters and vouchers." People were incredulous that that might be something.

I don't know if people have thought through this very much, but the beauty of the education funding model is so much like a garrotte: it's painful and it's lethal. Students carry with them all of the funding they are going to bring anywhere. There is no other place for funding to come. So what happens is that when you lose even five students, you haven't just lost that student and the programs that were serving that student; you've lost the programs that, on average, had to be spread out among all of the other students in that school.

Then, to cap it all off, you've got the accommodation grants, which are like some sort of nightmare created by a Frankenstein. It basically says that schools that are having trouble attracting students are going to become less viable, not more viable. It actually robs from the

poor to give to the rich. It almost guarantees that this measure of tax credits will result in not only schools that have already been identified for closure, not only the schools that were identified and then taken off the list for closure, but many more schools than we have possibly ever considered.

I give the example in my home town, which is Cornwall. I live in Ottawa now, but Cornwall is in my board and that's where I originally come from. They've created such a wonderfully large board now that I have to live in Ottawa in order to service the needs of this far-flung empire the Conservative government has created for our board. It's very clear from the Cornwall situation that you had a school that was full and they nevertheless had to close it. "How could that be?" you say. They had to close it because other schools weren't full, and because other schools were so much more full that they had to build more schools. But they couldn't build more schools because there were one or two schools in a small little town on the banks of the St Lawrence that were not quite full. They were at 75%, 70%, which would have passed a long time ago, in an age of greater reason, for reasonably sized schools with reasonably sized student populations. What they have done now is they have a plan that I believe is actually going to end public education of the public school board in that area. Those schools are not going to survive. Those are—I'm going to say them out loud here—General Vanier, Cornwall Collegiate and perhaps as well St Lawrence. That town may be without public schools of any kind in five years, based on the plan they're now implementing to try to save them. In a strange way it reminds me of the old Vietnam analogy where in order to save the schools we had to destroy them.

What you have now is a Catholic school board—the wonderful wisdom of this—building schools all over town and a public school board closing schools all over town. But the Catholic school board is using none of the public schools, even though they've been offered to them. And the public school board can't get rid of the schools they've got. They've got to mothball them or tear them down or do something else with them. The insanity of this kind of thing is only a minor thing compared to what's going to happen with this tax credit.

The government should immediately allocate the total \$300 million targeted to private schools to solve the extracurricular impasse in secondary schools so that we can return to business as usual, to whatever extent possible. The same \$300 million that the government has targeted to private schools could return the secondary schools to a reasonable amount of extracurriculars without having to increase class size simply by allowing teachers not to teach the extra class, which has been in dispute for so long. I hear groans from the government side.

The government should call an election on the issue of further election reforms and run on its record of educational chaos and destruction. I think it's a difficult one to defend. In fact, now that they've unmasked them-

selves, they might as well complete the job of putting themselves out of power by doing it immediately so that the rest of us are put out of our misery as well.

The government should, in co-operation with boards, identify those areas of special education needing immediate assistance and create a kind of Marshall Plan to ensure that those children most seriously in need of emergency assessment, treatment and remediation should receive immediate attention so as to minimize the effect on their future lives. Denial of service is probably at a crisis level in this province. Some 37,000—

The Vice-Chair: Mr McGillis, you have approximately a minute to wind up your presentation.

Mr McGillis: I'll quickly go through it.

The government must introduce a referendum on the constitutional right to a Catholic education so that Ontarians can decide whether this is a reasonable provision in a free, secular, multicultural, pluralistic and democratic society.

The government, in co-operation with the opposition parties, should call an inquiry into the government's handling of the education portfolio with special attention on the question of whether students' rights to an education have been violated under the Charter of Rights and Freedoms of Canada.

I'm prepared to take questions in the very short time that I'm allowed now.

The Vice-Chair: We're down to 20 seconds, so I don't think there's really any time to start dividing that up among the various parties.

Mr McGillis: I needed more time. I'm flattered by the fact that I managed to use it up and I barely even got to the details.

The Vice-Chair: Thank you very much, Mr McGillis, for coming forward and presenting to the finance and economic affairs committee.

1040

JEWISH COMMUNITY COUNCIL OF OTTAWA / VAAD HA'IR

The Vice-Chair: Our next delegation is from the Jewish Community Council of Ottawa, Rebecca Holtzman, communications coordinator, if you'd come forward at this time. Welcome. I called out Rebecca, but I don't think I see Rebecca here. Maybe if you could say your names for the benefit of Hansard, that would be all four of you, and then, as you may have noticed, you have 20 minutes for presentation. What isn't used in presentation then will be divided among the three parties equally.

Mr Gerald Levitz: Thank you very much. Rebecca is here, actually, sitting in the back.

The Vice-Chair: OK. I was being a little facetious.

Mr Levitz: I'm Gerald Levitz, president of the Jewish Community Council of Ottawa. Mitchell Bellman is the executive director of the Jewish Community Council of Ottawa; and Mr Simon Rosenblum is the director of

public policy for our affiliated organization, the Canadian Jewish Congress, Ontario Region, and—

Mr Aaron Sarna: I'm Aaron Sarna, chairman of the board of the Ottawa Torah Institute High School for boys and the Machon Sarah High School for girls.

Mr Levitz: Thank you for allowing us to make a presentation today on behalf of the Jewish Community Council of Ottawa, or the Jewish community of Ottawa as a whole. As I noted earlier, I'm Gerald Levitz, the president of the Jewish Community Council of Ottawa. The presidency is a volunteer position. In my professional life I am the managing partner of a chartered accounting firm, Ginsberg Gluzman Fage and Levitz. I have noted the two people who have joined me.

The Jewish Community Council is the central umbrella organization of the Jewish community. We are similar in structure to the United Way in that we run an annual fundraising campaign and provide funding to over 20 local beneficiary agencies. Every Jewish organization in Ottawa is a member of our organization, and we are the venue under which the Jewish community of Ottawa comes together as one.

Our community fully supports the proposal outlined in the budget to give parents who send their children to independent schools a phased-in tax credit of up to \$3,500 per child. As a community, we have waited a long time for the government of Ontario to redress the inequity of funding in our education system. We believe that it has been unfair that the province funds only one religious denomination's independent schools and leaves the full burden of costs of other kinds of religious education to the parents and the community. The proposal outlined in the budget addresses that inequity and, perhaps more importantly, it provides our community with a public recognition that our education adds value to the community, is of a high quality and is worthy of government and thereby public support.

The council includes six private Jewish schools as members: Hillel Academy; Rambam Maimonides, which offers a French immersion program; Yitzhak Rabin High School; Torah Academy of Ottawa; Ottawa Torah Institute, and Machon Sarah. The total number of students enrolled in full-time Jewish education in Ottawa is 669 currently. The cost of tuition runs from \$5,800 to \$6,900. That is the base cost of tuition, and of course there are other costs to attend the school, as well. In no case does the tuition come close to covering the actual cost of the education offered.

The Jewish community, through the United Jewish Appeal campaign or other direct fundraising by the schools, contributes \$1.354 million to support the school system. Further, our schools run charity bingos and other fundraising activities in order to continue to offer a Jewish education to our children. I tell you this to demonstrate the incredible commitment our community has to supporting Jewish education.

We believe that it is the best way to ensure that our children remain committed to their heritage, religion, traditions and to society as a whole. There has been

discussion about the risk of separate education systems and the effect on the general community. Under the three basic tenets of Judaism—*Klal Israel*, the responsibility of each Jew for another; *Tikkun Olam*, repairing the world; and *Tzedakah*, justice, righteousness and philanthropy—children receiving a Jewish education are taught to be full citizens of the province, the country and the world.

The parents who choose to send their children to a Jewish private school bear what might be defined as a triple tax. They are, of course, taxed to support the public school system and will continue obviously to do so. However, they are taxed again when they pay tuition for their children to attend the schools. Thirdly, they pay a kind of a tax through community fundraising where a great amount of the funding goes to support the many families who cannot afford the tuition fees the schools charge.

The public school system in Ottawa does offer some opportunities for students to learn more about Judaism if they wish. There are culturally sensitive programs in the public schools and recognition of some of the important Jewish holidays. We appreciate the efforts the public school system has made to build awareness about different religious beliefs, and we have worked together with school boards on their multicultural advisory committees to assist them in this endeavour.

However, the public school system cannot replace the quality of Jewish education that is offered in the private day school system. In order to ensure the continuity of our community, we need to invest in the education of our youth. The most effective way is to teach in an immersion setting. Just like an immersion program is the best way to learn a second language, immersion is our Jewish education's best tool.

While our schools focus on a curriculum that is not taught in the public system, we also offer a high-quality program of secular studies that includes English and French, math, sciences, computers and other courses that match the public curriculum. We are proud of the quality of our private education system and we are encouraged by the success of our graduates when they go on to university or, in many cases, excel in the public school system.

In recognition of the quality of our school system, the Ottawa Torah Institute, a Jewish private high school in Ottawa, was recently ranked second in a survey of Ontario high schools conducted by the Fraser Institute. This is a tremendous accomplishment for an Ottawa private school that struggles to find the funds to remain operating but still manages to provide an excellent education.

There has been some criticism of the government's proposal that it is going to support wealthy parents. The committee should be aware that that is not an accurate description of the parents who send their children to our schools. Yes, there are some wealthy individuals, but for the most part they support other, less fortunate students through very generous annual contributions to the United Jewish Appeal campaign.

Those who send their children to our schools are mostly middle-class parents who make a great personal sacrifice in order to finance their children's Jewish education. As well, a significant number of parents, as I have mentioned before, are from the low-income stratum. We offer these parents subsidies from partial to full tuition relief. We have a community policy that no Jewish child will be denied a Jewish education because of the inability to pay. While we are proud of that policy, it continues to be extremely difficult to honour because of the growing needs of our growing Jewish community.

The government's policy is just and fair and will go to help people who need and deserve assistance and support. Religious and ethnic communities make a valuable contribution to Ontario society. The Jewish community of Ottawa has made significant investments in our region, including the recent construction of a campus that serves people of all ages, faiths and backgrounds. The fact that the government is finally recognizing the important contribution we make through our private education system is extremely encouraging, and we hope that the measures will be enacted shortly.

On a personal note, from time to time it becomes difficult to determine what is right or wrong. This one is right, gentlemen. Ladies, this is right. This education credit is right.

Thank you very much for the opportunity of speaking to you, and I'll be pleased to answer any questions you might have.

1050

The Vice-Chair: Thank you very much, Mr Levitz, for your presentation. It's appreciated. We'll start with the third party. We have about three minutes per party.

Mr Marchese: Thank you, Mr Levitz, and other members. I have no doubt about the quality of education you provide in your system and I have no doubt that it's a tremendous commitment that the members put into it and that it's a great sacrifice for many of the members.

I have a question. This government is also funding private, non-denominational schools, like Upper Canada College and Havergal. Of course, a few deputies have said, "Well, since we're funding choice, if people send their children to those private, non-denominational schools, we don't have any problem with public dollars going to them as well." Do you have a view on that?

Mr Levitz: I believe that this is an equal credit that should be applied equally across the system, with no tests or differentiation of any kind.

Mr Marchese: So even though the tuition fee for people at Upper Canada is \$16,000, and if you bunk there it's \$28,000, you think that probably—

Mr Levitz: I believe that the parents who send their children to a private school are paying their taxes under the public school system and are receiving nothing in return. I believe that's equal for all people.

Mr Marchese: OK.

Mr Simon Rosenblum: Just to add to that, the position from the Canadian Jewish Congress, Ontario Region, is clearly that we have been in the advocacy of funding

for denominational schools in Ontario. In other words, we do not pass comment one way or the other with regard to the funding of non-denominational independent schools.

That is another issue. There are advocates of it. There are opponents of it. But we restrict our comments to the inequity that presently exists with regard to the funding of denominational schools.

Mr Marchese: I hear you. No, it's good. We haven't had too many advocates from Upper Canada College come to speak for public support, but I wanted your views. It was important to hear.

Now the tax credit, many argue, is an incentive. It's not used as a disincentive; it's used as an incentive. So the argument is that many people will take that up. My question is, if there is a loss to the public system, as many believe there will be, including me, would you suggest to the government that, as a matter of fairness, any public money that leaves our public system should be replaced by the government in an equal amount?

Interruption.

The Vice-Chair: Excuse me, please. Would you please turn off your cellphone.

Mr Joseph Spina (Brampton Centre): It's the hotel phone.

Mr Mitchell Bellman: We are here advocating on behalf of our school system. That includes the six schools that were mentioned, which struggle to offer a quality education but do offer a high-quality education. We're really not here talking about what the possible scenario may be with the public system. But we believe that it's a matter of fairness and a matter of justice that these schools be funded and that our education system be recognized, and that's what we're advocating.

Mr Marchese: I appreciate that, but as a matter of fairness—

The Vice-Chair: Thank you very much. Mr O'Toole.

Mr Marchese: Time flies.

Mr John O'Toole (Durham): Thank you for your presentation this morning. I really do believe this debate is about fairness and parent choice. Clearly, you've made strong statements here this morning that recognize the importance of the immersion. You say, "We believe it's the best way to ensure that our children remain committed to their heritage, religion, traditions and to society as a whole."

It's that immersion factor in the cultural kind of system. I fully understand that. You might say that's why the real system was set up many years ago, to preserve a Christian—those founding nations basically. That's why it was set up, and they knew very well. As we move forward in a diverse culture, I think that's really what we're addressing. Like other provinces, we're addressing that.

Respectfully, there've been many good presentations. B'nai Brith Canada presented on June 14, and I'll just read for the record: "Proponents of public education appear to be more interested in fighting to preserve an inequitable status quo than in fighting to create equity for

all children." It's a really good example of taking a second look at how we do things in the public forum.

I want to conclude by asking a question. We've taken this most difficult step to reflect, not just the Waldman decision but other decisions that are being pressed continually—they have been for the some 20 years that I've been involved—that independent Christian, cultural and other religious schools should be recognized in some way. Other provinces have done it.

At the same time, by making that difficult decision—you know that there are those in McGuinty's caucus who are divided on this, and they're well on the record as saying, "You can't suck and blow. We've got to go forward." You know that his position is to cancel this. I'd just like your response to that, because we're here in Ottawa. He's the spokesperson. Well, he's got three different positions that I've heard—yes, no and maybe—to the question. I'm asking you, what's your response to his idea of looking forward or looking backwards?

Mr Levitz: I'll comment quickly and ask my compatriots to comment, as well. I retreat to the fact that it's just right to do this. It is right to balance the system, it is right to support diversity, and anything to the contrary is wrong. It is also most appropriate that nobody else suffers because of any benefit being offered or that there's inequality in the system. Clearly, it's our position, and as you are well aware, many Jewish students do attend the public school system. We have a vested interest in the quality of education in the province as a whole, and I'm disappointed that the argument comes out against what is right by suggesting something else will go wrong.

Mr McGuinty: I'm glad that my thoughts are alive and well in the minds of the members of the government. Perhaps if they could focus just as much on getting their own policy right, Ontario would be in better shape.

Gentlemen, thank you very much for your presentation. I know you've been waiting a long time and it becomes like a drink of water in the middle of a desert and it is irresistible. I wonder if you have taken some time to look at the experience in Edmonton with the Jewish day school there, if you've taken a look at the Eden Christian school now in the Niagara school board. I notice in yesterday's Hamilton Spectator there's an application there by a Christian school to join the public board.

The government puts forward an alternative and says it's the only alternative: we have to give funding to parents, something we've done in no other provinces. What about this notion of the public system opening its arms to greater diversity, not unlike what Shapiro recommended back in 1985, it might have been, or 1986? What about that possibility?

Mr Rosenblum: Our community has been open for a long period of time to constructive solutions which respect the integrity, the diversity of our community and other religious communities and the need that we have to see that expressed through the larger school system. With that said, we have never closed the door on productive

discussions about any range of ways to address this problem. We have waited a long time for someone to come to us with productive solutions. It's fine and dandy, after someone has tabled what we believe to be one of the ways to engage this problem, to suggest that there may be other ways. I respect the fact that you have been out there, you have been the first leader of a provincial party in this province who has said there is a fundamental inequity where one school system is funded and the other religious denominations are not. But with that said, it is also true that we have waited a long time for you to say, "What are you going to do about it?" as opposed to saying, "This is not the correct time."

So my answer to you is that we will remain open to any constructive proposals that you or others put forward, but we also have a situation today where one political party—in this case, the governing party—has bitten the bullet, something that no one else has ever done, and has put forward for the purposes of our denominational schools something that we believe is a very workable scenario.

We do not at all take as a credible position that there's something unique about the way it is going to be done in Ontario; that is, it is done via a tax credit as opposed to it just being done as it in the western provinces and Quebec, through program funding. At the end of the day, that's simply a cash-flow situation, whether the parent pays at the front end or the back end. There's no particular enticement here. So we have something here that we believe we can live with. If you want to talk to us about other things at any given time, we have always been open to dialogue with you.

The Vice-Chair: Thank you very much. We appreciate your coming forward with your delegation, Mr Levitz.

1100

CANADIAN CENTRE FOR POLICY ALTERNATIVES

The Vice-Chair: We'll move on to the next delegation, the Canadian Centre for Policy Alternatives, education project, Ericka Shaker, director. As you've noticed, there are 20 minutes for you in total for your presentation and the remaining time will be divided among the three caucuses to ask questions or make a statement. As you begin, please state your name for clarity for Hansard.

Ms Erika Shaker: My name is Erika Shaker. For the past 10 years I have been researching education restructuring and how it facilitates the privatization of public education.

I thought I'd start today by suggesting that, given Mr McGillis's presentation and certainly given, I'm sure, the government's perspective that there is some debate about exactly how much has been put in or taken out from the education system in Ontario, I'd be very happy to participate with all the members here, and with Mr McGillis as well, if you'd like to get together and have a

public discussion on that. I'd be more than happy to help work with you on setting that up.

But today obviously I'm here to talk about Bill 45. The recent decisions on the part of the Ontario government to implement market-based reforms to education with legislation that ties dollars to students by offering tax incentives for citizens who wish to explore private educational options is alarming on a variety of levels. It will withdraw further funding from an education system that is already experiencing profound financial instability. It reinforces the mistaken notion that education is an individual service or commodity, instead of a public investment and a social good. It eliminates the legislated guarantee that all children have the right and the opportunity to attend quality public schools—whether they can afford to leave their communities or not, whether they have special needs or are disadvantaged or require ESL or are among the one in five children who comes to school hungry.

A parent's individual decision to send his or her child to a private institution must not come at the expense of our community betterment or our collective responsibility to all children. It represents the loss of valuable funding from our public system. It also privileges those who already have choices by virtue of their socioeconomic status and further entrenches the inequities that already exist for the most disadvantaged among us.

In addition to being shockingly simple to establish, as was recently revealed, private schools in Ontario are not subject to provincial regulations. They do not adhere to the provincial curriculum. They are not required to take standardized tests. Their teachers need not be certified and are presumably also exempt from the schoolteacher testing which will soon be administered by the Educational Testing Service, an American corporation, in conjunction with the Ontario Principals' Council. Private schools are also partly exempt from the Ontario Human Rights Code because private schools can discriminate in order to serve a certain group of people they represent. Therefore, borrowing the government's own logic and in the government's own words, private schools are not accountable to the public or even to Ontario's human rights legislation. How, then, can they be justifiably funded out of the public purse?

The situation is compounded by the fact that many religious-based private schools already issue tax receipts for charitable donations. Will private school parents now receive a provincial and a federal receipt for the same tuition? I haven't heard anyone really coherently address this, and I'd be happy if perhaps later you would. It is alarming that this government has done little research into the effects of this proposed legislation, especially given Minister Ecker's and Premier Harris's concern in January 2000 that extending public funding to independent religious schools would drain anywhere from \$300 million to \$700 million from the public system. It is especially alarming that virtually no research has been done that focuses on the jurisdictions where valid systemic comparisons do exist. These are comparisons

where funding follows the student and is not allocated directly to schools, as is the case in other provinces. Ontario's proposed reforms are much more similar to New Zealand's education experiment or the Arizona tax credit program. The experience of these jurisdictions is significant in determining the impact of public funding for private education in Ontario's schools.

The state of Arizona implemented a tax credit program for its educational institutions which allowed a dollar-for-dollar tax credit of \$500 for private schools and \$200 for extracurricular activities at public schools to offset student fees which, of course, have been levied as more money has been withdrawn from the public system, similar to the Ontario situation. Overall, the evidence indicates while this program was intended on the face of it to help low-income students and families, students from wealthier families are the primary beneficiaries of this tax credit statute. This tax credit has functioned to increase funding inequities, already a problem and source of contention in Arizona's school system. The data from 1998, the first year of the program, also indicate inequities in those who have access to the tax credit—75% of the public school portion of tax credits went to donors with a gross income of \$50,000 or more. For private school donations, the results were even more highly skewed toward the wealthy—82% of the tax credits claimed went to those with a federally adjusted gross income of \$50,000 or more. The data for 1999, the second year of this program, have only recently been made available. They indicate an exacerbation of these trends. While there has been a 60% increase in public school donations, there has been a 633% increase in private school donations.

The New Zealand experiment has been especially significant in taking stock of education reform because this is a country rapidly retreating from the initiatives that the Ontario government is essentially borrowing. In 1989, the government of New Zealand completely overhauled its education system. Geographical enrolment zones were eliminated. Funding was tied to the student. Schools were given much more local autonomy, principals much more responsibility. The rationale was simple: the money would follow the student to the best schools, which would thrive with increased funding, and the poorest schools would be left to starve and essentially be phased out. Technically, at least according to this rationale, all boats would rise on the sea of educational choice through healthy competition. However, the theory of survival of the fittest schools was not extended to the children these schools were supposed to serve. What followed has been termed survival of the children of the fittest. It's also been called white flight.

It's no coincidence or surprise, I would hope, that enrolment data show that lower-income and minority students are disproportionately represented among schools unable to compete in the educational marketplace. The result of these market-based reforms in New Zealand were positive for some schools, certainly. They were those schools servicing upper- and upper-middle-class kids, where it was easier to establish boards of

trustees with useful accounting, legal, managerial and fundraising skills. These were of course not so easily available to disadvantaged schools. The disadvantaged schools did have a high percentage of Maori and aboriginal students, as well as students living in poverty, students requiring ESL, students with special needs and behavioural problems. Furthermore, while all students theoretically had the choice to attend another school, transportation costs and optional school fees provided additional barriers to certain students, again, the most disadvantaged students. Thus began what was termed the downward spiral.

As some schools fell behind in the education marketplace, they attracted fewer students, fewer dollars and fewer teachers. This resulted in a less attractive academic program, resulting in even fewer students, and so on. The situation grew to crisis proportions. In 1998, top ministry officials admitted that the educational marketplace would never work for as many as 25% of schools. So disastrous were the results that the ministry had to directly intervene in the downward spiralling schools and actually take over entirely.

The market system requires winners, but it also requires losers. Some 25% of schools will not survive under this system. This means that the children and the communities those schools serve are, de facto, a necessary casualty. This may be a legitimate marketplace rationalization but it is no way to administer and ensure a public investment and a human right. To knowingly restructure a public system—and we know what has happened—so that it requires a proportion of those who invest in it and are entitled to it to fail for the system to operate correctly is not just or right. Frankly, it is not even civilized.

We all benefit from a strong public education system, whether or not we attend it and whether or not our children are enrolled. It is part of the benefit of living in this society and part of the responsibility too. Ontarians have indicated overwhelmingly that they will continue to uphold this responsibility and the assurance that all Ontarians have access to an adequately funded, accessible education system that is bound by the Human Rights Code and accountable to the public—the entire public. The evidence of the impact of market-based reforms, student-directed tax credits and public funding of private schools is overwhelming. It is also chilling. It has balkanized schools and communities. It has further entrenched existing socio-economic inequities. It has exacerbated the withdrawal of funding from an already starved public system. It reinforces the mistaken notion that education is a private commodity and that individual benefit can only come at community expense.

I urge this government to listen to the public and to the existing research and abandon this destructive legislation for the good of the public system and the well-being of the entire province. Thank you.

1110

The Vice-Chair: We have approximately two and a half minutes per caucus, staring with the government.

Mr Spina: Thank you for your presentation. There were a number of presentations—proponents—one of which you heard, in the other cities where we have been that addressed the issue you brought forward regarding the quality of education, the level of learning and the certification, which you made some comment on or some reference to. Many of them have indicated that they are inspected by Ministry of Education inspectors. They are quite comfortable in the expectation of the curriculum and the standards set by the ministry that they would have to have their students achieve. It is an obvious conclusion that if these children are going to be moving from an elementary to a secondary and then a post-secondary level of education, clearly, they would have to be able to perform to a satisfactory standard. One of the things we are looking for in these hearings is, if these tax credits were extended, what parameters should we be looking at? What criteria should we have for a school that may or may not qualify? I wonder if you'd comment on that.

Ms Shaker: Thank you for your question. I hope the number one criteria would be the degree to which this legislation will help public education. There's an awful lot of evidence indicating that in fact it doesn't; that it exacerbates segregation which may already exist; that it benefits the wealthy before it does the poor. Are you saying that Bill 45, if it becomes law, will then require private schools to undergo the same standardized testing and the provincial curriculum? Are you saying this is in fact what the government is saying? My concern would be that it addresses a secondary issue. The primary issue is that there is already an overwhelming amount of evidence indicating that this pulls money out of the public system, regardless of the way in which it is being done.

Mr Spina: First of all, there was additional funding put into the system. We can argue numbers—

Ms Shaker: I'd help you set up a round table to do that.

Mr Spina: It has been debated all over the province for six years now. You know that. My issue is that as part of the normal legislative process, regulations are created as a result of legislation which define the context under which legislation is implemented, if it is passed—

The Vice-Chair: I think we are going to have to move on, Mr Spina. Sorry.

Mr Spina: —and that's where we would have the criteria. That's what I was saying.

Mr McGuinty: First of all, we reject this policy outright. One of the concerns we have with it is that there are simply no strings attached to it. For a government that is positively obsessive with the notion of accountability—the recent throne speech and the budget itself were rife with references to accountability—here's a proposal on the table now to send 500 million taxpayer dollars out the door to private schools with no strings of any kind attached.

During question period recently, I produced the form. It is a one-page form which applicants have to complete.

It is not an application, by the way, it's just to put the government on notice that they're establishing a private school. You don't have to follow the Ontario curriculum, you don't have to hire certified teachers, you don't have to participate in the province-wide testing and you're not subject to the usual inspections which all other publicly funded institutions are in our education system.

I wonder if you might comment a bit more about this distortion, this aberration, certainly, from the perspective of this government. They talk all the time about accountability and the need for our municipalities, our colleges, our universities—virtually every recipient of public dollars must have some corresponding obligations as recipients of public dollars and yet to this policy there is to be no accountability.

Ms Shaker: What it does point out, as I think you've indicated, is the contradiction in the legislation. As I indicated earlier, the issue is whether this legislation will be beneficial to public education. It has been demonstrated in other jurisdictions where comparisons are legitimate that it will not. We have to ask ourselves, is it right or just that legislation of this sort be undertaken, knowing what the consequences have been?

Mr McGuinty: I want to thank you in particular for your references to the experiences in New Zealand and Arizona. I would ask the people helping us here on the committee to obtain information in that regard, if there are any studies that might be available, so we can turn those over to the government. Hopefully there may be a—is that a summary?

Ms Shaker: I'd be happy to actually forward you the academic studies that have been done on the issue.

Mr McGuinty: Great.

The Vice-Chair: We'll move on to the third party.

Mr Marchese: Thank you, Erika. The government argues, first, that they put a lot of money into public education, in fact that they're very committed to public education—that's why they're pouring more money into it—and second, that there's no evidence there would be an exodus. They argue that, and the other proponents of funding for other religious schools are saying there's no evidence, at least in Canada—I'm not sure whether they're saying no evidence elsewhere—that there would be an exodus. Of course, they produce no evidence other than the fact that we have private schools, we have religious schools, and "Don't worry, there shouldn't be any problem and it shouldn't affect the public educational system." What's your reaction to that?

Ms Shaker: I think it has been demonstrated that there will be an exodus. There has been an exodus in jurisdictions where legitimate comparisons have been made. Again, a tax credit, as has been pointed out earlier, is an incentive, not a disincentive. I can't see how it can be used any other way.

Mr Marchese: What of the argument that the Conservative members make that this is a matter of fairness and of giving parents the right to choose, and if that's what they choose then we should help them? To paraphrase them, that is the argument they make.

Ms Shaker: Individual choice in education should not, I believe, come at the expense of the public good. Whether or not we are enrolled in the public education system or have children enrolled in the public education system, we all benefit from a strong public education system.

Mr Marchese: But they're saying we have a strong public education system. They're saying we have a great system. They defend it, they fund it. You're arguing it will affect public education but they're saying it won't be affected.

Ms Shaker: The most recent survey OISE released, the 13th survey, has indicated a growing level of concern on the part of parents for the state of public education and does indicate as well that the highest percentage ever of parents whose number one concern is revitalized funding for public education is on the books at approximately 82%. So the public is actually very much aware of what the concerns are and where the concerns lie.

Mr Marchese: God bless.

The Vice-Chair: Thank you very much, Erika Shaker, for coming forward and making your presentation. It's much appreciated.

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OTTAWA CHRISTIAN SCHOOL

The Vice-Chair: Our next presenter is from the Ottawa Christian School, Paul Triemstra, vice-principal. Would you come forward and state both your names for the sake of Hansard. As I'm sure you've been observing, there's 20 minutes in total. After your presentation, we'll divide it equally among the three caucuses for questions and possibly even statements.

Mr Paul Triemstra: My name is Paul Triemstra. Sitting beside me on my left is Ken Gehrels. On behalf of the Ottawa Christian School specifically and on behalf of the Christian schools of eastern Ontario belonging to the Ontario Alliance of Christian Schools, I would like to thank the committee and the government of Ontario for the opportunity to speak on this important issue.

I am the vice-principal of the Ottawa Christian School and a graduate of that same school and of Redeemer Christian High School, also located in Ottawa.

Mr Gehrels is a parent of children who have attended Christian schools for the past 14 years. He presently has three children attending Christian schools and one who has graduated and is now attending university here in Ottawa. Mr Gehrels also serves as a member of the education committee of the Ottawa Christian School.

Also with me, seated in the gallery, is Mr Nick van Duyvendy, a long-time member of our association and past chair of the public school board in Ottawa.

I wish to spend a moment describing the Ottawa Christian School because it is typical of the schools I am associated with. Our school is located in the west end of the city of Ottawa and offers a program for students from junior kindergarten to grade 8. We have 214 students coming from 108 families in the region. We have just

celebrated 35 years of providing alternative Christian education here in Ottawa and look forward to continuing providing quality Christian schooling to the Christian community for as many years as the Lord allows.

The purpose of my presentation is twofold: first, to point out the justness of the cause of supporting parental choice in education and, second, to familiarize you with the work that has gone on in Christian schools for the past several decades. By looking at the issues of unity versus uniformity, parental involvement in choosing the kind of education that is best for their children, and by looking at the track record of local Christian schools, I wish to show how government support for parental choice is a good thing for society as a whole.

It is the contention of Christian school supporters that support for parental choice in education can only strengthen the unity of the populace in Ontario and avoid the risk of uniformity. The notion that one school system can meet the needs of all of the population is out of date. In fact, the notion was out of date in 1867 when the Fathers of Confederation acknowledged that the community consisted largely of two different confessional groups and so ensured that Catholics and Protestants could be free to educate their children in a context that was appropriate for them.

Ontario today is vastly more diverse than it was 140 years ago. Canadians and the people of Ontario rightly pride themselves on our toleration and our cultural diversity. Indeed, we like to think of ourselves as a cultural mosaic rather than as a melting pot. This diversity is already being recognized in education in Ontario. There are schools that are funded by the government based on religion—the separate school system; language—the French-language schools; and ethnicity—native schools.

The question really is why we shouldn't continue to extend government support for parents who choose a school based on their pedagogical philosophy, for example, the Montessori schools, or on religious beliefs, be they Christian, Jewish, Muslim or other. Why limit the diversity at this point? Support for parental choice in education can only deepen the respect for democratic structures in Ontario among our increasingly diverse population.

Christian school supporters are puzzled that in democratic and culturally diverse Ontario, parental choice has not been supported before this time. John Stewart Mill, the philosophical founder of the liberal tradition in the English-speaking world and the inspiration of many in the social democratic movement, warns against monopolistic education in the hands of the government. According to him, "That the whole ... of the education of the people should be in state hands, I go as far as anyone in deprecating. All that has been said of the importance of individuality of character, and diversity of opinions and modes of conduct, involves, as of the same unspeakable importance, diversity of education. A general state education is a mere contrivance for molding people to be exactly like one another."

This is not to say that Christian school supporters are opposed to the public school system. We, like all citizens of the province, pay our taxes and so support the public school system. But beyond the legal requirement of paying taxes, we believe the public school system offers a good education for the vast majority of the citizens of this province. Our interests are not so narrow as to be concerned only with the Christian parents who choose our schools. Rather, we are concerned about all the children of the province and the quality of education they receive. Therefore, we willingly give our tax dollars to support public schools. We are simply surprised that it has taken this long for the government of Ontario to support alternative schools with some of the money that members of alternative schools have given to the government over the last several decades.

Christian schools, like the public schools, value the role parents play in the education of their children. Volunteerism is encouraged in Christian schools so that at all levels and in all aspects of their children's education, parents, who are key stakeholders in the educational process, have a role. In the Ottawa Christian School, parents are frequently in the classroom helping teachers with various miscellaneous tasks or tutoring children who could use some extra help. Most of the members of the board of directors of the school are parents of children in the school. There are opportunities for parents to sit on the finance committee, for example, the property management committee and, most critically, the education committee of the school. Parents are frequently invited to the school for assemblies and open-house days.

Regular and frequent communication between the school and the home is not only encouraged, it is common practice at the Ottawa Christian School. Christian school supporters believe that parents have the primary responsibility for educating their children and the primary responsibility in delegating who should be doing the formal educating in a school setting. This can only be done with the support of the larger community. As a result, almost 50% of the membership of the Ottawa Christian School society is made up of non-parent members. These people offer the volunteer time, energy, prayers and finances needed to ensure that our school truly benefits the children.

As a result of the support of the broader membership, parents in our school do not have to pay the full cost of educating their children. Both a tuition assistance fund, generated largely by non-parent members, and a sliding pay scale ensure that a Christian education is possible for a wide range of families. All this is done despite the fact that our parents and supporters are funding two education systems. As a result of this burden, some parents who would dearly love to send their children to Christian schools cannot do so.

The idea that parents should have the right to choose the kind of education they deem appropriate is not a rare one. Plenty of other Canadian provinces have shown their support for parental choice by providing funds for alternative schools. Most western European nations fund

alternative schools. It seems that Ontario is the exception rather than the rule in this area. In fact, in 1999, Ontario was chastised by the human rights committee of the United Nations for not abiding by sections of the International Covenant on Civil and Political Rights. These sections make it clear that parents who choose a school other than the public or separate system are discriminated against. Christian school supporters believe that the proposed bill put forward by the government will go a long way in remedying the injustice of parents having to pay for two educational systems.

Christian school supporters believe they contribute to the well-being of the province and therefore deserve support from the government. In its 35 years of existence, the Ottawa Christian School has graduated more than 500 students and served many more for shorter periods of time. Timothy Christian School in Williamsburg has graduated a similar number. Redeemer Christian High School, Community Christian School in Metcalf and the Renfrew and District Christian School have graduated many more. These students have gone on to be a valuable part of our society, graduating from university, raising families, volunteering in the community, starting businesses or becoming factory workers, social workers, teachers and government employees.

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Our staff is made up of teachers who are highly qualified. Most have their Ontario teacher's certificate, but we also hire teachers with equivalent certification and qualifications. The fact that our teachers can do their job well is obvious by the parents' high degree of satisfaction with the education and care their children receive in our schools. Furthermore, the Canadian test of basic skills scores of students from our school show they score higher than the national average. All this is done in a very cost-effective manner.

Our school does not discriminate against students based on their academic ability. We take seriously the responsibility of developing the gifts of all the children in our community, be they academically challenged or academically gifted. When students come into our school, they are tested for their academic strengths and weaknesses and given the support by their homeroom teachers and the resource teachers as needed.

Unfortunately, because funds are limited by the burden of our community paying for two educational systems, there are students with academic, emotional or physical challenges whom we cannot deal with. The proposed legislation may allow us to be of service to the Christian parents of such children, who would love to have their children at the Ottawa Christian School.

Our student body is made up of a cross-section of the Ottawa community. A wide spectrum of racial diversity is represented in our school. Children of parents who are on social assistance and children of small business owners mix in class, mix on the playground and attend each other's birthday parties. More than 25 Christian denominations are represented at our school. At the Ottawa Christian School we work hard to appreciate this

diversity, and at the same time we work to foster unity and acceptance.

This is the kind of work that will be supported by this bill that is being considered. It seems to me that the work we do in Christian schools is the kind of thing that any democratic government would want and the kind of thing that all in society would benefit from.

I applaud the government of Ontario for taking this step in ensuring justice for all families in Ontario, and I thank the members of the committee for this opportunity to speak. It is truly a blessing to be part of a community where the voices of many are heard and considered. Once again, thank you for this opportunity to speak.

The Vice-Chair: We have just barely two minutes per caucus, starting with the official opposition.

Mr Richard Patten (Ottawa Centre): Thank you for joining us today. You cite two occasions in your paper, one where some parents who would dearly love to send their children to Christian schools cannot do so at the moment—I'm assuming. What difference do you think this tax cut would have? Would this enable some of those others who are presently not able to take advantage of your schools to do so?

Mr Triemstra: I think that is correct. We have a tuition assistance fund that is limited. That fund has been set up by parent members, non-parent members, and we have a sliding scale. Other schools do it slightly differently. We have a per-family rate so that families with a larger number of kids are not penalized for having that larger number of children in the school. So we do a lot of things to help families out, but there are some for whom the circumstances are such that they cannot see their way to sending their children to the Ottawa Christian School. That's partly because of the limited tuition assistance we can provide for.

Mr Patten: Do you agree with the tax credit being extended to the secular schools, in particular the secular for-profit schools that would also benefit by this tax credit as well?

Mr Triemstra: This really isn't our concern in our presentation right here. That's not what we are doing. That is in the hands of the wise people who run this province, including those who might criticize their various points as well. But that's really not our concern.

The Vice-Chair: We'll move on to the third party.

Mr Marchese: Thank you both for your presentation. I have no doubt that your schools produce good academic results and that parents make an incredible contribution and sacrifice. I have no doubt about that. God bless.

Some quick questions: If I were openly gay would you take me in your school?

Mr Triemstra: Let me just answer that by simply saying that we do now, and will always, abide by all relevant human rights criteria. You bring up the question of discrimination. Well, we believe—

Mr Marchese: If I were gay, would you take me into your school?

Mr Triemstra: We believe that in our society right now you have a portion of the society that is being disenfranchised to some extent.

Mr Marchese: I hear you. You're not answering my question, but I understand.

Another question: The Toronto District Christian High School, along with other independent schools, rejects the intrusion of government-imposed curricula. Nexus is published by the Ontario Alliance of Christian Schools and they say, "The Christian sees the world differently from the non-Christian world view exemplified in ministry curriculum perspectives." I understand that. They're suggesting they don't want to be subject to any curriculum standards of the province because it would be, in your view, totalitarian, literally, says this document. "Only totalitarian governments attempt to invade the minds of their citizens." Do you support that, or would you accept curriculum standards from the province because that's what they impose on everybody else?

Mr Triemstra: Let me just pass that question on to a parent and a member of our education committee. Mr Gehrels?

Mr Ken Gehrels: Thank you for asking the question, because I think what you're touching on is finally something that's getting to the heart of the issue, which is a question of world view, a question of basic beliefs and understanding of how the world runs, where it comes from, where it's going and what's of importance. Those things permeate and run through all levels of academia and education. That's why we're saying that one needs to open up to a variety of different choices.

That doesn't mean, contrary to some of the hysteria we hear coming out about this thing, that we're going to produce a bunch of illiterates or that we are opposed to taking certain standardized testing of our children and of the staff who teach our children and whom we hire to teach our children in basic areas of reading, writing, understanding of history and the like. We do that already. I don't know where people are getting the idea that we don't want to test and that we have no interest in quality education. We do. Come on over and we'll show you.

The Vice-Chair: We must move on to the government side.

Mr Ernie Hardeman (Oxford): Thank you very much for the presentation. I just wanted to touch on the issue of accountability. The opposition seems to have run out of steam in some areas so they're coming up with different problems that they seem to see behind the next tree.

The issue of accountability: first of all, I would think that the best people to be accountable to would be the parents of the students who are in whatever system it is. Mine happen to be in the public system. But I think it's the system that needs to be accountable to me as a parent, as the children are going through. I think that's very important. Of course, your system, from your presentation, would believe in that too, that if you aren't accountable to the parents, if you do not provide the quality education they want, they would no longer be in your system. They would leave.

Mr Gehrels: Let me talk to that as a parent who has a very hefty mortgage on a modest home, who operates

minimal transportation and does without in many other areas. We'll spare the violin stuff for that. My wife and I make very deliberate sacrifices in many areas in order to afford our children an education that is based on values, ethics, operations and beliefs that we value. Because of that, we value very highly the standards that our children are taught by and that the staff have to stick to. So we have things like an alternate college of teachers and we insist very highly—I speak as a member of the education committee—that our staff stick to those standards in work.

The Vice-Chair: Thank you very much. We must move on. We appreciate your presentation.

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OUR SCHOOLS, OUR COMMUNITIES

The Vice-Chair: The next presenter is Mitchell Beer, chair of Our Schools, Our Communities. Thank you very much for coming forward to present to the committee. It's a total of 20 minutes, as you may have observed. After you make your presentation, whatever time is left would be divided equally between the three caucuses. If you would just state both your names for the sake of Hansard, that would be appreciated.

Mr Mitchell Beer: My name is Mitchell Beer. I'm the chair of Our Schools, Our Communities. I've agreed to share a small portion of my time with Trevor Robinson, a student rep within our school board, since students have been completely excluded from this process. Over to you.

Mr Trevor Robinson: As Mr Beer already introduced me, I'm Trevor Robinson, a student trustee with the Ottawa-Carleton District School Board.

First of all, I question why there are no students on this panel, because we are the first ones affected by this bill and it is very detrimental to the public school system. The reason there are no more students in the gallery with me is that today was the first day of exams and luckily for the students of the Ottawa-Carleton District School Board, I don't have one this morning.

Also, we are dealing with other issues in our school, such as sewers backing up or the ceiling falling in due to the lack already of funding in the public system. For the government to take an extra \$500 million, approximately, from the public system to give tax credits to private schools is outrageous. We're already strapped for cash and, if anything, we should get another \$500 million bonus, not \$500 million taken away. Thank you.

Mr Beer: Our Schools, Our Communities is a group of Ottawa parents and other taxpayers concerned about the local impact of provincial education cutbacks. I'm here to convey our desperate concern and unanimous opposition to the establishment of a tax credit for families that send their children to private schools. My specific comments are mine alone, since the needlessly tight deadlines around this whole process left us insufficient time to finalize a group statement.

In the past three years we thought our community had seen it all: our local school board closed schools, delayed

construction of badly needed new schools, decimated regular classroom programs, hacked away at English-as-a-second-language programming and slashed a special education program that was once the envy of the entire province, if not the country.

When our group began drafting equations for our needs-based budget—please ask me about it in the question period, Richard—our sample was a calculation called “filthy bathrooms.” Bathrooms are an issue to a board facing rampant, punitive cutbacks because some of them are cleaned so spottily that young children are holding it in all day rather than using the toilets at school—this in the most prosperous province and the capital city of what is seen as the best country in the world in which to live. All of this was deemed necessary to meet the terms of an arbitrary de-funding formula under which the Harris government has looted \$172 million from our schools and classrooms over the past three years.

But I'm here today to admit that we were wrong. We hadn't seen it all, nor had we seen the worst. For all the effort that has gone into keeping John Snobelen's inaugural promise as education minister—we all remember his comments about a school system in dire need of a good crisis—the proposed tax credit for private schools establishes a new low for a government that has been determined to bring the public education system to its knees.

Let's be very clear: the tax credit is not about delivering quality education according to an accepted standard, because most private schools don't have to adhere to any. It isn't about choice when its overall effect will be to reduce the resources available to offer a wider range of choices to the largest number of students—those would be the children who attend our public schools. It isn't about meeting the classroom needs of the vast majority of students who will never see the inside of a private school, with or without a tax credit. It isn't about finding the most cost-effective way to serve the widest range of talents and exceptionalities. Our public school boards already know how to do that, by and large, if only the province would fund them adequately to get the job done. It certainly isn't about delivering the skills and knowledge that our children need to survive in a competitive economy or, even more important, to function as informed, thoughtful citizens in what purports to be a democracy.

And speaking of democracy, the tax credit is not about responding to some groundswell of public opinion. According to an independent poll commissioned by People for Education, the opposition is running two out of three, three out of four, or nine out of 10 on this measure, depending on how you ask the question, which means I'm going to have a lot more fun on the doorstep in the next election than the Tory canvasser in my poll. But they have a problem. By the time—

Mr Guzzo: Where did you finish last time, Mitchell?

Mr Beer: Just wait until next time, Gary.

By the time that election rolls around, Bill 45—

Interjection.

Mr Beer: I'll try not to interrupt you in the question period, and I hope this doesn't come off my time, Mr Chair.

Mr Guzzo: I apologize.

The Chair: Order, please.

Mr Beer: Thank you.

We have a problem. By the time that election rolls around, Bill 45 will already have ushered in what might be the most fundamental change to our school system in the past 150 years and the change that will ultimately tear it apart. The government will have imposed the tax credit as a kind of disorganized afterthought, after years of insisting that this kind of support for private schools would undermine the public system.

I particularly liked the line in Minister Ecker's letter to foreign affairs minister Lloyd Axworthy on January 13, 2000, complaining that Ottawa had never consulted her on its response to the Waldman complaint to the UN Human Rights Commission. Talk about a failure to consult. The tax credit for private schools never showed up in any election platform and was never brought before the voters. So much for the province's vaunted commitment to accountability. By all indications, it was hatched in response to the kind of special interest lobbying that this government was supposed to resist, much to the apparent dismay of our education minister, who almost had the integrity to resign in protest.

The net effect of the tax credit is to give the government a financial interest in undermining a universal education system that has been perhaps the strongest pillar of Ontario's society and economy. For every \$3,500 the province pays out to some lucky private school attendee, a public school board will lose about \$7,000 in per pupil grants. The math, for better or worse, is simple: if we take the government's own conservative estimate that the tax credit will distribute at least \$300 million, our school boards stand to lose at least \$600 million, on top of the \$2.3 billion the Harris government has already taken out of the public system since 1995. At a net gain of \$3,500 for every child taken out of their local community school, the government has every incentive to push the tax credit to the max, leaving boards with less and less money to serve the generally higher-need students who are left behind.

To the government members on this committee, while we're on the topic of provincial defunding, don't you dare try and claim that Ottawa is the only board that can't live within the formula. E-mail is a marvellous organizing tool, providing you're not relying on an Ontario school to pay for a reading textbook or a touch typing course without school council fundraising. Many of us are indeed spending enough time online to know that our counterparts are facing precisely the same budget meltdown in every part of the province, from the Bluewater board to Thames Valley, from Upper Grand to Greater Essex, from Waterloo to Kawartha Pine Ridge, from Avon Maitland to Hamilton, and let's not forget the huge budget cuts on the horizon for the Toronto District

School Board. You may not have had the time or you may not have made the time to hear from all those communities before ramming this monstrous tax credit through the Legislature, but you need to know that we're talking to each other, listening to one another and realizing that after a while the stories all blend together into a coherent whole.

What we're hearing on the ground is that this blatant two-tiered system will indeed hasten the flight to private schools, not because the vast majority of parents want to leave the public system, not because they think it's right, not because they see no value in the only school system that is truly open to all, certainly not because it's their choice, but because the defunding formula will soon leave them no choice. Our public schools have already been savaged by provincial cutbacks that have touched every student in every classroom in our metropolitan area. Province-wide, a comparison of per capita education spending placed Ontario 56th out of 63 North American jurisdictions in 1999, behind all the American states and well behind such leading educational lights as Texas, Idaho, Oklahoma and Alabama. If not for systematic defunding, only the smallest minority of parents would give private schools a second look, much less a second thought, a crucial consideration that would presumably have shown up in the government's research, had the finance minister felt the need to conduct any. A government that practises the accountability that it preaches so loudly for school boards, teachers, students and just about everyone else would have consulted widely, listened carefully and invested its tax dollars where they'll do the most good, not where vested interests scream the loudest. Instead, to quote Albert Einstein in a vastly different context, we drift toward unparalleled disaster.

In fact, everything about this tax credit suggests a triumph of ideology over reason, of backroom deals over evidence-based decision-making. On the outside, we have a coalition of private religious schools that shamelessly spent \$175,000 to get the tax credit into the budget, then promised another \$500,000 to make sure it passes into law. At the cabinet table, we have a finance minister with the passion and dangerous certainty of a true zealot, whose mind was made up before the debate began. Please, let's not confuse him with facts, and above all, please don't ask him for his research.

It might help to explain why the office of Ottawa's senior provincial cabinet minister refused to meet with our group after we faxed over a copy of the People for Education poll. Garry, maybe your office will return our calls. A government that only listens to its friends has no need to tap public opinion, even if it risks the wrath of two thirds, three quarters or nine tenths of the electorate. The irony, if you think about it, is that this is a story in which community groups like ours are cast as small-c conservatives trying desperately to protect an institution that has served our community and served it well for generations. It's members of the large-C Conservative government who emerge as the true radicals, proposing

to finalize a vast, sweeping and sweepingly destructive change before the opposition can fully mobilize.

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It's traditional in this kind of presentation to propose some kind of solution, some form of middle ground to try to move from out-and-out disagreement to reasonable compromise. That would normally be our inclination. As our local school trustees will attest, Our Schools, Our Communities is always ready and usually eager to sweat the details and find solutions where none appear to exist, and we have a good track record in that regard. But there's a caveat. Reasonable compromise is only possible when the original proposition on the table is itself at least minimally reasonable and when its proponent has shown a willingness to negotiate in good faith. In our view, there is nothing reasonable about this tax credit and nothing encouraging or inviting in what has passed for consultation on this measure. Our only option is to put the government on notice that we fully understand what you're doing, we're watching attentively and we won't rest until either you or the tax credit disappear. It's your choice, as it has been all along.

We take encouragement from the knowledge that the substance if not the venom of this presentation speaks for the majority of Ontario voters. Two weeks ago, Our Schools, Our Communities participated in a joint release of the People for Education poll, along with our counterparts in Toronto, Windsor, London, Guelph and Peterborough. The joint release, by the way, was a marvellous first effort that we all plan to repeat in future.

In contrast to the previous poll conducted by the National Post, which biased its own results with a question about so-called "government-managed schools", our survey simply asked people whether they support or oppose the tax credit. It's kind of like basing ESL on whether you know or don't know English. The results showed that opposition to the tax credit crosses party lines, with just over half of Conservative voters speaking against it. The sample size was large enough to demonstrate sustained opposition in every part of the province, including the 905 belt. Significantly, the order of questions showed that opposition to the tax credit increases as people find out more about it. While two thirds oppose the measure outright, three quarters were against allocating 300 million tax dollars to the credit, and nine tenths believed that private schools up to grade 8 should be forced to meet provincial standards in return for the credit. The pollsters told us that nine tenths can be read as a unanimous result. If you asked people whether Elvis is alive, 10% or 20% would apparently say yes, and now we know how this government got elected and re-elected.

I'm quite eager to leave time for questions, but before I stop I would like to explain why I haven't brought 20 copies of today's presentation for distribution, as requested by the very harassed committee clerk who called me last week. Quite simply, unlike the special interest groups that brought this nightmare down on us, our organization doesn't have a budget for photocopying. My small business has been subsidizing my education work

for several years and I saw no reason to undertake clerical support for a government that has cost me in the order of 3,000 billable hours just to assure that my daughter receives a quality of education that we should be able to take for granted, again in the most prosperous province of the most prosperous country. Not only don't I have the discretion to vote myself a 20% pay hike, if I don't soon see that my daughter's future is assured by adequate school funding, the government may leave me no choice but to move my business to a jurisdiction that funds education as if it mattered, taking along the jobs that I've been creating in Ontario for almost 17 years. We're a small firm, but I know I'm not the only local entrepreneur who sees a strong public education system as absolutely essential if we hope to attract and retain the workforce that will continue to drive Ottawa's economic miracle.

I would like to take this opportunity to table the petitions that our group gathered at the beginning of this debate calling on the Legislature to fight and defeat the tax credit. The petitions were collected in roughly a week. There are several hundred signatures, and they were collected with minimal organization because that was the time available to us. I invite your questions and urge each of you to cast your vote against the tax credit.

The Vice-Chair: Thank you very much for your presentation. We have about a minute and a half for each caucus.

Mr Marchese: Mitchell, thank you. You must be mistaken about the cuts, because Madame Ecker has said that Ontario students have been the recipients of her great largesse. Where are you getting this information from?

Mr Beer: Do I detect a note of sarcasm, sir, which I certainly share? It strikes me that times must be quite tough at the Ministry of Education, because their research and analysis capacity has reached the point where they've stopped factoring in things like enrolment increases and the inflation rate. It's reached the point now that whenever the province—

Interjections.

Mr Beer: I don't know if the opposition members might want to hear something about this. Thank you. I hope that didn't come off my time either.

The Vice-Chair: You go ahead with your presentation; I'll look after the members.

Mr Beer: I appreciate that.

It's reached the point where whenever the ministry announces a funding increase, we look behind it and wait a couple of days to watch for the weasel words, and I say that in the best possible way.

Mr Marchese: Another quick question. Most of the critics have attacked the funding formula with the words "one-size-fits-all" as being wrong. The government of course says it's a good thing. But in this case they say the one-size-fits-all funding for education or choices is wrong too, meaning that people should have choice to do whatever they want in terms of where their kids go. So the one-size-fits-all for the funding formula is OK, but

the one-size-fits-all for choices is not OK. How do you deal with that?

The Vice-Chair: Thank you, Mr Marchese. We'll have to move on to the government. You're over two minutes.

Mr Marchese: I'm sure you'll be able to get a chance to answer that. Go ahead, Ernie.

Mr Hardeman: Thank you for your presentation. It doesn't happen very often, but I have to agree with Mr Marchese in his presentation and ask you where you would have got those numbers. You surely must be wrong.

Mr Beer: I beg your pardon?

Mr Hardeman: In fact, spending on education in the province of Ontario was \$12.8 billion in 1995 and it's \$13.8 billion this year. I don't see that as a reduction, I see that as an increase.

I really wanted to ask you, a number of presenters that we've had—and we had one this morning—in the presentations came to the conclusion that parents weren't equipped and couldn't make the appropriate decisions on the type of education that they should have for their children; they only think they can. How do you feel about that?

Mr Beer: I would need to know the context of the comment before I commented on it. I think that would be responsible.

Mr Hardeman: Maybe I can explain it just a little bit more. The reason the government is doing this is to create parental choice.

Mr Beer: No, no. You create parental choice by funding public school boards sufficiently that they can actually offer choice. They can't right now because you've defunded them by \$2.3 billion province-wide and \$172 million in Ottawa alone.

Mr Hardeman: Let me finish. The question was that we were creating parental choice. The OSSF this morning indicated that they didn't believe parents could decide what was best for their children; that had to be done by the state. So I was just wondering how you felt about that, whether parents can make the right choice for the appropriate education for their children.

The Vice-Chair: I'll give you a chance to respond.

Mr Beer: Thank you. Parents can make the right choice if the funds are in place to create the programs in the first place. When a public school board is systematically defunded by a government intent on destroying it, choice dies because the system can't deliver it.

The Vice-Chair: We'll move on to the official opposition.

Mr Patten: I think you might find that 96% of the parents of Ontario would want a strong public system.

Mr Beer: I'm aware of all the work that you've put in, and a lot of parents, in the public district school board in particular. I commend you for it and I am amazed at the stick-to-it-iveness of many parents who continue to fight.

I would like to give you some time, though, to share particularly with members of the government what the district board is going through now in terms of their

needs-based budget and how this relates to perhaps a further erosion by diverting some funds out to a tax credit system.

Mr Beer: What we're doing with the needs-based budget—and I say "we" because this has been a marvelous example of the kind of co-operation we wish we could have with the province. Trustees, parents and the various advisory committees within the Ottawa-Carleton District School Board have been working on what our chair, Mr Libbey, calls a daily budget based on need. The basic intent is to get at the funding levels that the board would reasonably need to supply the quality of education that students need and that the community expects.

In our own work within Our Schools, Our Communities, first of all, this is all very preliminary. It's the first year. We realize that this is the year that we need to get some members in place and need to get some substantive response from the government, because if we don't, the system is hanging by a thread and who knows when or where it's going to fall. There isn't a whole lot left at this point. We realize that our numbers are preliminary. We are doing our best to tie them down. Where we need to, we are erring on the side of caution and estimating less rather than more. My guesstimate at this point, which will be fleshed out in the next two or three days, because that's what we've got, is that we will be documenting between \$40 million and \$60 million that the Ottawa-Carleton District School Board needs back in order to deliver the education that the community needs and deserves, based on proper service to exceptionalities, increases in enrolment.

You might have noticed, for those government members from outside Ottawa-Carleton, that this community is going through a bit of a growth spurt. There are projections of a 50% to 100% population increase over the next not very many years. So we need more funding for this system, not less. The needs-based budget is a way to start putting that in place.

The Vice-Chair: Thank you very much, Mr Beer, for your presentation and for coming forward.

A reminder to each of the caucuses that amendments are due today by 4:30 in room 1405 in the Whitney Block at Queen's Park. Written submissions are due by 5 o'clock to the clerk of the committee.

I'd like to thank the audience this morning for being an excellent audience and giving the presenters an opportunity to present and for the committee members to be able to understand the content of that presentation. Also, thanks to the committee members for being on really good behaviour here in Ottawa.

The standing committee on finance and economic affairs now stands recessed until 1300 hours, or 1 pm.

The committee recessed from 1201 to 1305.

JASON REISKIND

The Vice-Chair: I now call the standing committee on finance and economic affairs to order.

Would you state your name for the sake of Hansard. You have 20 minutes for your presentation, the remaining time being divided among the three caucuses. You may begin.

Mr Jason Reiskind: My name is Jason Reiskind. I've worked in the area of international law all my professional life, although I'm here in my personal capacity.

I support the tax credits to independent schools 100%. Finally, Ontario is coming partly into line with its international obligations, into line with the accepted international standards of Western democracies.

A key instrument reflecting these standards is the 1966 International Covenant on Civil and Political Rights, ratified by Canada in 1976. I give it to you as the first page, and the key articles as tab 1. Canadian ratification means a formal acceptance of the obligations. Canada is telling the world that it is accepting this covenant and its obligations.

We took a while before we ratified this covenant because a lot of the rights involved were under provincial jurisdiction. Ontario formally accepted its obligations, and that was signified by letter by Premier Roberts in 1969—and you have that at tab 2—where he says “the Ontario government supports wholeheartedly the principles contained in these documents and has no objection whatsoever to the federal government entering into such agreements.” There were no reservations on Canada's ratification with respect to education.

A key article for our purposes is article 26, which you have highlighted on page 211 in tab 1—that's equality rights. “All persons are equal before the law ... the law shall prohibit any discrimination and guarantee to all persons equal and effective protection against discrimination on any ground such as race, colour, sex, language, religion” etc.

An important question is: is Canadian ratification and Ontario acceptance to mean anything, or are we like a tinpot dictatorship that signs every covenant and then, when things get difficult, when funds are involved, you ignore your obligations? I expect Ontario is a rich and a modern enough province to take its international obligations seriously.

Further to procedures under the covenant, various communities took the years necessary to bring the Waldman case before the human rights committee. The case involved alleged discrimination under article 26 whereby Catholic schools receive full funding and other religious schools receive zero.

The human rights committee, which is an expert committee where the experts act in their personal capacity—the Canadian rep on it is Max Yalden, who was the head of the Canadian Human Rights Commission—is the main international human rights oversight for Canada. All the European countries accept the oversight of the European Court of Human Rights, and they accept decisions outside their countries when they're shown to violate the European convention on human rights. This is essentially Canada's oversight committee.

The committee decided unanimously, in the Waldman case, that Canada was in violation of article 26, which I read to you. I have the main provisions of the decision under tab 3 on page 13: “... if a state party chooses to provide public funding to religious schools, it should make this funding available without discrimination. This means that providing funding for the schools of one religious group and not for another must be based on reasonable and objective criteria. In the instant case, the committee concludes that ... does not show that the differential treatment between the Roman Catholic faith and the author's religious denomination is based on such criteria. Consequently, there has been a violation of the author's rights under article 26,” the equality provision.

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This is the only case where Canada has been found in violation that has not been remedied by Canadian governments. In all the other cases—in the Lovelace case, where an Indian woman had to leave her reservation because she married a non-Indian, while Indian men who married non-Indians could stay on the reservation, where we were in violation, where she lost before the Supreme Court but won before the human rights committee, the federal government paid millions of dollars to remedy that violation.

In the McIntyre case, concerning English language signs in Quebec, even though the Quebec government had used the notwithstanding clause to continue to prohibit these signs, when McIntyre won before the human rights committee, the provincial government of Quebec changed the law to allow English signs, although smaller than the French signs, because of the decision.

In the Pinkney case, a prisoner whose mail was opened complained to the committee. He won. In future, there were more regulations on the opening of prisoners' mail.

The latest case involves the parliamentary press gallery, and steps are being taken to allow a minor journalist to make use of the gallery.

This is the only case where Canada has been in violation and we have not remedied the violation. The credits are the first real action by the any Canadian government—meaning Canadian provincial government—to remedy Canada's violation. It's time to bring Ontario out of the 19th century. It's no longer 1867. Our education system must reflect international human rights standards, the ones we have accepted. There's no basis to opposing these credits to religious schools unless one supports continued discrimination against various religious minorities. Time has passed as the communities which are discriminated against groan under the double costs of education.

I would also like to deal with another provision in the Covenant on Civil and Political Rights, and that's article 18(4) It provides that, “The states parties to the present covenant undertake to have respect for the liberty of parents and ... to ensure the religious and moral education of their children in conformity with their own convictions.” Unfortunately, a lot of the Ontario education

debate has ignored this standard. Parents have a right to send their children to the school of their choice and should not be slandered for doing so. There has been a lot of slander in the papers against people who make that choice. These people are paying double. With the credits, they would still be paying one and a half times.

It is often forgotten that day schools can be the key instrument to pass culture and religion from one generation to the next. Minorities face tremendous assimilation forces to give up their cultures and religion. Canadian law states they have a right to retain these attributes. Canada accepts this right, for example, in section 27 of the charter, which I give to you under tab 4: "This charter shall be interpreted in a manner consistent with the preservation and enhancement of the multicultural heritage of Canadians." We say we support that. It's not right for administrators to tell minorities how to educate their kids. All we have to do is look at how well the administrators did with respect to Indian residential schools or what happened with the Doukhobors, where children were forcibly removed from their parents and put in a school with a chain-link fence around it.

People should be allowed choice in Ontario. Other provinces have it, and Ontario can aspire to a peaceful and diverse community working together, making use of the best each community has to offer. We can achieve it and should expect nothing less. I'm open for questions.

The Chair: We have about three minutes per caucus, beginning with the government side.

Mr Spina: Mr Reiskind, I don't know if you had the opportunity to hear or listen to Martha Jackman's presentation this morning.

Mr Reiskind: I heard about it, but I didn't hear it.

Mr Spina: She's a professor at the University of Ottawa—you know that. She indicated that this whole process, if it proceeds, will end up in court. You seem to present some interesting cases—and I'm no lawyer—that would tend to add credence and justification to the particular tax credit issue in this budget bill. What do you say to that?

Mr Reiskind: I say other provinces provide funding and they've succeeded in court challenges. I haven't heard a court challenge against the Catholic religious schools because of what they teach. I think it's unfortunate that she is claiming to use human rights to continue discrimination against groups. I think that's completely uncalled for. She's making a human rights argument, a false argument, to continue the discrimination in Ontario.

The Vice-Chair: Mr Hardeman, do you want to make a comment?

Mr Hardeman: Thank you, Jason, for your presentation and the amount of work you went to to find all the pertinent information that deals with the human rights issue and the UN decision.

It's quite clear from what we've been through in this hearing that there are varying views on whether the tax credit will fully meet the needs of the direction of the United Nations' decision. We've heard a number of

times, particularly from the opposite side of the table, that the government of Ontario's position in that debate was different, and suggested we didn't agree with that approach to solving the problem and that this is a totally different approach to dealing with the issue of fairness and equity in education and parental choice in education. Are you convinced that this is a reasonable approach to solving the concern you have for parental choice and fairness in our education system in the province?

Mr Reiskind: It's a very real, important step. For those of us who are finding it difficult, month to month, to come up with the money to ensure that our children have a chance to learn our own culture and pass it on, it's very meaningful, of course. If the opposition feels it doesn't meet the full discrimination that exists under the covenant, then I suggest they suggest opening the separate school system to all the religious schools so they receive funding and end the discrimination completely. If that's their view, I can't understand why they don't argue that for the longer run. First of all, this is a great step to end the discrimination for those who are suffering day by day, and then, in the longer term, we can propose that for other schools.

The Vice-Chair: We move on to the official opposition.

Mr McGuinty: Thank you, sir, for your presentation. Do I gather from your perspective, your understanding of our international obligations, that the province of Ontario is under no compulsion to provide public funding to secular schools? Do you agree with that?

Mr Reiskind: I'm addressing the religious schools aspect and the discrimination. I would say that choice for the secular schools is a different issue.

Mr McGuinty: But it's not something that arises from our international obligations. I'm just looking at the documentation you provided for us. There are clear references to prohibition of discrimination on certain grounds, including religion—you've made that case—but I see nothing here that would require the province of Ontario to extend funding to kids attending Ashbury today, or Upper Canada College for that matter.

1320

Mr Reiskind: While I personally support the extension to all the schools, I don't see why we want to go to an American-style system where it's the highest per capita funding in the OECD and some of the poorest-quality education. But to what you say, looking at the Waldman decision, it says if one religious group is offered education, then other religious groups must be as well. So it's limited to the other religious schools that face discrimination.

Mr McGuinty: OK. The religious argument, the fairness issue, is one thing, from my perspective, but extending it to secular schools is quite another.

It seems to me that ultimately, equity would look like what the Catholics have: "You shall admit any child of any faith; you shall employ Ontario-certified teachers; you shall teach the Ontario curriculum; you shall participate in standardized testing; you shall use the new

standardized report cards; you shall be subject to the usual inspections and regulations that apply to all publicly funded schools in Ontario." Isn't that what equity would look like?

Mr Reiskind: Mr McGuinty, it's my belief that you're using accountability as an excuse to prevent the ending of discrimination, and that disappoints me. Have you come out in favour of opening the separate school system to all the religious schools?

Mr McGuinty: That's a new requirement right now.

The Vice-Chair: We'll move on to Mr Marchese.

Mr Marchese: It's an important question, because children, students, in a public system don't have any choice about the curriculum that these people impose, right? They say to the students, "Sorry." They said the school system doesn't work well. "We need to revamp. We need to test teachers now, and this is the curriculum, because we believe this curriculum is going to teach young people to be better prepared for the world." Presumably, the same kind of stuff would be good for your schools or any other schools, don't you think?

Mr Reiskind: You're also using this excuse to prevent the removal of discrimination. If you really believe in accountability, say, "OK, go ahead with the credits for 50%, and then we'll look at the long-term opening up of the separate schools to all religious schools. Then we can also at the same time, because the discrimination has been so hard on the minorities, over time, after the credit is introduced, work on ways to introduce certain amounts of fair accountability. But what I'm worried about is that you're using the excuse of accountability to say, "Oh, no, these schools can't get any money whatsoever."

Mr Marchese: You're quite right. New Democrats have always been very clear about not supporting public dollars for private schools. I'm just saying, if we all have to be subjected to one rule, you're saying, as do many other Christian schools, "Our curriculum is profoundly different. In fact, it would be totalitarian of governments to attempt to invade the minds of citizens with their curriculum versus ours." I'm just saying that that's—

Mr Reiskind: But you're not even giving them 100%, you're only giving them 50%, and you want some accountability. I'm saying, if you want 100% accountability, are you calling for opening the separate school board to all the schools?

Mr Marchese: The separate school system is open to everyone.

Mr Reiskind: No. My kids' school cannot join the separate school system because it's not a Catholic school; it's a Jewish school.

Mr Marchese: Actually, the Catholic school system does take kids who are not Catholic. It's opening that way.

Mr Reiskind: I'm talking about my school joining the separate school and getting 100% funding. Don't start twisting things around. If you believe in 100% accountability, you should be supporting any school—schools—that wants to join the separate school system, the way it exists in other countries.

The Vice-Chair: Thank you very much. We really appreciate your presentation.

HEATHER-JANE ROBERTSON

The Chair: Our next delegation is Heather-Jane Robertson, if she would now come forward. For the benefit of Hansard, please state your name as you start. There's a total of 20 minutes allocated to you for your presentation within that. Whatever is left over will be divided three ways among the three caucuses.

Ms Heather-Jane Robertson: Thank you very much. My name is Heather-Jane Robertson. You will note on the agenda in front of you that I am not described in any way beyond my name, so I'll introduce myself. I am, among other things, vice-president of the Canadian Centre for Policy Alternatives. I am a former elementary school teacher. I am the daughter of a former elementary and high school teacher. I am the wife of a teacher and a parent of two students from the public education system. I am also a fellow of the Ontario Institute for Studies in Education and am a recipient of the Canadian College of Teachers Teacher of the Year Award.

I am a researcher who has worked extensively on the topic of the quality of children's lives, particularly the quality of adolescent girls' lives, and on various issues of equity, diversity, teacher development and professional development with respect to the public education system. Much of my work has been critical of the gap between our aspirations for public education and what we have thus far been able to realize.

I've also been a political candidate. I ran for the NDP in the last federal election in Ottawa Centre. I have an abiding and continual interest in public policy issues, as well as education issues.

I'm also here as a parent, a parent who participated with my kids last night at my daughter's LDS party. I don't know if you had LDS parties in your home. In our house that's what you do on the last day of school. My daughter is in fact graduating from high school. It was her last day of classes. While we're celebrating this, my son, who's now in university, said, "Caitlin, are you happy? It's the last day of school. Are you glad you've finished high school?" She said, "Sure, I'm happy, but I feel really sorry for the kids who are just starting." I think that's something for all of us around the table to reflect on, as someone who has committed her professional career—my life—to public education to hear, unbidden, a 19-year-old with a 95% average feeling sorry for the kids who follow.

It's the kind of thing that is not partisan. It isn't teachers versus politicians; it isn't parents or school boards; it's for all of us to say, "What have we done?" The most important thing we remember about public education is not how it's funded or who's funded it or any of those questions of curriculum. It's to remember that through our schools we build the world. When I think about how to organize schools, which is really one of the questions we're looking at here, first I say, "What

do I want my world to look like?" From that I work backwards and say, "Then how do we create schools that make that future more possible?"

I've written extensively in opposition to voucher schools and charter schools and the kinds of segregation and separation these lead to, because my ideal world does not have Muslims over here and Jews over here and Christians over here, and lefty parents over here and activists over there and Marxists over there and Conservatives—we are together. We've talked about the community groups that come forward and say, "We want our school for our own community." My understanding of community is that we learn from the ground up to live with difference, not to appreciate as an abstract concept, where you learn to tolerate those people over there who are different. What you do is learn to live with the kid beside you who looks different and thinks differently.

The most important lesson of public education is to discover that not everybody thinks like your parents or your grandparents or even the way you do, and to figure out what we do about those sincere differences in beliefs together. It isn't about everybody believing the same thing, which is the accusation of public education; it's about understanding fundamentally that we don't all believe the same thing, and we have to reconcile ourselves to that.

I hadn't written my presentation before I came. I decided the book that has been passed around would in fact be my presentation to this committee. In case anybody is intending on filibustering, they can always read the entire thing into Hansard, and I'd be very pleased. That book does in fact deal with the kinds of issues I've raised and where I see the reform that Bill 45 represents fitting into this system.

1330

But this morning I wasn't thinking so much about that as I was thinking about my third year teaching grade 3. That's back when teachers had a little more flexibility and choice in terms of determining what they thought it was important for their students to learn. I decided that if you were eight or nine, you could learn logic and reasoning, and I started by teaching my kids syllogisms. Maybe some of you studied syllogisms. Usually they are a three-part statement like, "All monkeys climb trees. Johnny climbs trees. Therefore, Johnny is a monkey." True or false? Help the kids work through each of those statements. Does the premise lead to the conclusion?

This morning I thought I heard things like, "Bill 45 promotes choice. Choice is good. Therefore, Bill 45 is good." There are some fundamental logical fallacies, it seems to me, permeating this debate. Instead of dealing with the research evidence or talking at length about accountability and the other issues, I want to take us back to the premises we're using to decide whether or not this represents the right thing to do, as we were told this morning.

First of all, the premise that seems to be guiding the debate, or at least guiding the legislation, is that somehow parents own schools. We've heard people say this in

various ways, treating their taxes as a kind of tuition, and if they also have to pay tuition to a private school, somehow this is double taxation or double tuition. I'm saying, well, what do we say to people who have no children at all in school? What are their taxes? If it's true that parents' taxes, the proportion that goes to education, is some kind of fee that entitles them to something, shouldn't parents with four kids in school pay more than those with one kid in school? That's the logical consequence of treating a portion of what one generation pays in taxes for public education as some kind of private fee for their particular kids.

Parents don't own schools. I think it's really important to understand that. Public education is an obligation, a transaction between one generation and the next generation. It's not a private transaction between individual parents choosing or buying some kind of particular education for their individual children. The more we move away from that idea that we're collectively responsible for public education and, I would argue, ought to be collectively accountable, whether we have kids in school or not, for the decisions we make—it goes back to what I said at the beginning. We're creating the future, all of us, in public education. I have an investment in every child having a good education, not just my own.

The second faulty premise: it seems that competition somehow increases quality. I'm looking at refrigerators. I'll grant you that. Refrigerator salesmen can go head to head and I may benefit in getting greater value for less money. I should point out, though, that if I make the wrong decision, if I'm hoodwinked by an unscrupulous salesman, there has been no great loss. There may have been minor private loss but there's no public loss.

It seems to me schools are very different. If I'm buying a refrigerator and you're buying a refrigerator, your 500 bucks is as good as my 500 bucks. We are equal as consumers in that relationship. But when schools start competing with each other, particularly now that standardized testing and this very narrow definition of school quality become the slogan, become the advertising statement for the school, what we end up with is a situation in which inevitably schools will compete with each other but only for certain kinds of kids, because logically—not politically, not intentionally, but logically—if you and I are principals of competing schools, both of us are very interested in high-end kids, the kids that cost the school the least to teach.

Unlike the two consumers with 500 bucks in their pockets, not every child presents the same challenges for classrooms. Some kids are wonderfully easy to teach. They are a gift. Their parents are involved, they're interested, they're well fed, they enjoy what they're doing and they're motivated. And there are other kids who are the opposite of everything I just said. If we're competing on the basis of standardized test scores, roughly half of the entire student population becomes an undesirable customer because, all things being equal, according to logic, half of any group falls below the average. So we get intense competition for some kinds of students and very little for others.

There's lots of research evidence that in fact that has happened. Even when regulations have been put in place saying that schools cannot discriminate against particular kinds of kids, there's lots of evidence that schools have found very creative ways to subtly nudge kids out and say, "Gee, your boy is such a nice boy but he really does have a lot of problems in math, and we don't think we could quite provide the best program for him. As you're a parent free to make the choice, we know you'd like to choose that school down the block." There's lots of indication particularly that kids with disabilities are screened out systematically in the system in an informal way.

My daughter uses a wheelchair. An elementary school, a middle school and a high school were each persuaded, shall I say, by myself and my husband to add adaptations to that school; in one case to put in an elevator, in others to put in ramps and in one case to move an entire location of a class to a level where there was wheelchair access. Which private school is going to want to enrol my daughter? Wouldn't they rather enrol my son? They don't have to make any special accommodation for him, and his marks are just as good as my daughter's.

It seems to me that the fallacy I'm talking about here is that we foolishly believe that the only outcomes we get are the outcomes we intend. The literature around school choice is littered with examples of unintended outcomes. I don't think for a moment that people supporting Bill 45 want to increase the amount of discrimination that my daughter in her wheelchair will experience. The unintended outcome is that she will, and so will other kids like her. Logic requires us to look forward to the consequences, intended and otherwise, of our decisions.

The third logical fallacy is that somehow private schools provide either a better education or a worse education, and we're sort of arguing that point back and forth. In fact, they do neither. It seems to me that the problem here is that both bad and good private schools will be treated absolutely identically. That is the problem—both bad and good schools.

I think everyone around the table would be rather concerned if I decided that I could set up a school, with maybe a dozen kids, in my basement, and charge \$3,500 so it will be a break-even point, revenue-neutral, with respect to the tax credit. But as a well-known lefty, I'm going to teach a lefty curriculum, and I think I'll start them on Marx in grade 1, move on to Engels in grade 2, get to CCPA stuff in about grade 4—

Interjection.

Ms Robertson:—there you go—and then I'll hire a couple of teacher aides, and I won't worry about their qualifications, but I will give them a political orthodoxy test to make sure they think only exactly the way I do. I'll teach math and I'll make sure that everything is always equally divided—a good socialist principle here—and on and on. I don't believe you want to fund that kind of school, and of course I don't want to run that kind of school. The problem with the legislation is that it may in fact support good schools; it will equally support bad ones.

The problem is—and Mr McGuinty has suggested it several times—what if we add all the regulations? What happens if we make sure the curriculum is aligned, teacher training, certification, testing, all of those things? Do you know what we're saying when we add that list? We're saying, "Would it be OK if we made these private schools look more like public schools?" Well, I thought the point of this was the problem with public schools, from which we now want to facilitate an escape by parents. It is logically inconsistent. It is logically inconsistent to impose a system that reduces the real choice, the real diversity, the richness and possibility for improvement of the system.

The final fallacy I want to mention: the idea that somehow multiple forms of governance of schooling and multiple sources and different religions and so on produce diversity and change and excellence in education in fact turns out to be wrong. Because we love our children, we parents are notoriously conservative about their lives. We're better risk-takers about ourselves than we are about our kids. What's been found in places like, let's say, Alberta, where they moved into charter schools, is that the schools that sprang up, instead of trying innovative things, improvements to that system I was describing before, respond to the conservatism of the parental marketplace. Those schools consistently look more and more like each other and more like the 1950s than the kinds of schools we need for the next century.

If we believe in innovation and quality and change, if we believe there's another UN document we should be paying attention to—the UN Convention on the Rights of the Child, which says children have the right to the first call on resources in every jurisdiction—then you'll reject Bill 45, and we put our heads together and say, "How do we build a public education that creates the world we want?" Thank you very much.

1340

The Vice-Chair: Thank you for the presentation. We have about half a minute per caucus.

Mr McGuinty: Thank you very much for an articulate and passionate—"defence" is probably the wrong word, but you helped describe a vision for public education, whose improvement we must relentlessly pursue, being very careful not to perpetually embrace the status quo.

I don't have any particular question, save and except to say I very much appreciated your presentation. I found it very enlightening. Thank you.

The Vice-Chair: Mr Marchese.

Mr Marchese: I believe in a public system that includes all differences and accommodates our differences, and it doesn't have to be harmonization of those differences. A lot of people are suggesting that once you're in a public system, we want you to be a homogenized little boy or girl. I don't think we do that in many of our public systems, and it's not desirable either.

But a lot of parents from these other communities, Christian groups, are saying, "Sorry, the public system doesn't deliver what I want. Christianity infuses everything we do, and so education and Christianity are

infused. It isn't just something you teach," and the Jewish community says the same. "That's why we want our own choice, to be able to do that." What do you say to that?

The Vice-Chair: Thank you very much, Mr Marchese. Mr O'Toole.

Mr Marchese: That was quick with the questioning.

The Vice-Chair: You were 45 seconds.

Mr O'Toole: Thank you very much for your presentation and, as Mr McGuinty said, your passion. Just a couple of little things. "What do I want my world to look like?" is a very good starting point. My community has described it in a sort of analogy: "Public education meets everyone's need. People can only choose public schools. Therefore public schools are good for everyone."

My point is, much has been written about the hidden curriculum: "What do I want my world to look like?" One of the presentations said, "Proponents of public education have appeared to be more interested in fighting to preserve an inequitable status quo than in fighting to create equity for all children."

The Chair: You've had 45.

Mr O'Toole: Your starting premise is wrong. This is about choice. You talked about choice and innovation. I challenge you to think outside the box—

The Vice-Chair: Thank you, Mr O'Toole, and thank you for your presentation, Ms Robertson. Sorry, they used up their time in responses.

Ms Robertson: I don't believe public funding is necessary in order to support the choice of individuals mentioned by either of these gentlemen. I do not oppose their choice. I very much oppose public funding for those choices.

The Vice-Chair: Thank you for your presentation. We appreciate your coming forward.

ONTARIO FEDERATION OF INDEPENDENT SCHOOLS

The Vice-Chair: Next is Elaine Hopkins, executive director of the Ontario Federation of Independent Schools.

Ms Elaine Hopkins: Good afternoon. I have with me Lyle McBurney, who was involved in the starting of our federation and the move toward this very day, on May 9—which is my birthday by the way—1974.

I'm Elaine Hopkins, executive director of the Ontario Federation of Independent Schools. I'm also the principal of Bishop Hamilton School here in Ottawa, a Christian Montessori program. I was vice-president of the Federation of Independent Schools of Canada. I also taught in the elementary and secondary schools in the public system. My children went to public and independent schools, and I'm proud to say they are graduates of Arts Canterbury, which I was able to choose in the public system here in the Ottawa area. So I have been very much involved in this issue over the years, and I have nine points to make for you.

First of all, let's talk about children. Children have many different needs and different learning styles. By the

way, Heather-Jane, I'll take your child in the wheelchair at any time. Give me a call. OK? Independent schools serve special-needs children of all types. We are limited sometimes by financing.

The second thing is, we should not have Queen's Park telling us—I'm speaking to the Conservative government now, but I'm speaking to previous Liberal and NDP governments—how to teach in the classroom. Some children learn better with the phonetic approach to teaching and some children learn better with the whole language approach. We need to recognize children's different needs. Children need to be given the values and the safe base of the family so they can grow up to be strong, contributing members. We need to give our children the roots of their family so they can become full and responsible citizens.

Let's talk about parents. Parents know their children best. If they make the wrong choice, they are also the ones who are going to suffer the consequences of that choice. They know their children best. They have a responsibility to give their children their values and faith, which I've already mentioned. We also need to have the role of the family reinforced in our society. I think this tax credit is moving in that direction, and we're just delighted about it.

Also, you are very much aware of human rights conditions. They have the right to choose the education that's best for their children, and they should be able to exercise these legal rights as protected in the Canadian charter and in the Ontario Human Rights Code.

We have the right to think differently. It is very important and central to a democratic society, and central to Canada, that we have the right to think differently. If I go around this room and ask each of you to very quickly tell me what is a good education, we will have 11 different views on what is a good education. That is why we cannot have one education system, one government deciding what's good or wrong or right in education. It has to come back to the parents.

A good public education system, first of all, has parental choice. But even more importantly—just think outside the box for a moment; Dalton as well, OK?—a good public education system will have the traditional humanist approach to education: a Christian school, a Muslim school, a Jewish school, a Montessori school, a Waldorf school or whatever. That is a public education system of the 21st century. I am looking forward to the Ottawa board approaching Bishop Hamilton School and saying, "Come and be an alternative under the public system."

I have here—you've probably all seen it—the Toronto Star article about 700 people who are ready to enrol in a Christian school under the public education system in Hamilton. Do something to keep people in the system by offering parental choice.

Secondly and thirdly, accountability is directly to the parents. That question was asked earlier. If a child in grade 2 is not reading at Bishop Hamilton School, the parent is in my office very fast. If I don't respond, they

take their money and go elsewhere—and their child too, by the way. That's called public accountability. It's direct accountability. There are different ways of dealing with accountability, and we're looking forward to discussing those ways.

Curriculum freedom is important as well. That's another big issue. You've talked about it already. Let's talk about it. Let's sit down at the table and see how we can meet the public good of education while still having those differences, diversity of approach. Montessori is a very legitimate, high-standard approach to education. Waldorf schools, all the religious schools meet high academic standards. I know they do, and I'm confident they do. There is not a real problem there.

Of course, a good public education system is non-discriminatory and inclusive, recognizing that different people have different beliefs.

We also have models in other provinces. They've been well documented. "What's the problem?" I would like to ask around the table when the questions come up. They have been addressed by other provinces and other countries, and there are a lot of things happening in the United States. There are models. There is no problem; it works. I've attached a very quick one-page summary for you of what's happening in other provinces. It's old—1996-97—but the basic premise has not changed particularly.

The other thing I want to point out is that in other provinces the choice and funding of independent schools and policies there has been wholeheartedly supported by all parties: Conservative, Liberal and NDP. I suggest that you look to other provinces to see why they haven't had some of the objections some of you have brought forward.

1350

I want to talk about the independent schools in Ontario. What we have is just a wonderful diversity of schools. Four hundred religious schools—you've heard a lot about the religious schools—100 Montessori schools, 11 Waldorf schools, two of them here in Ottawa, 20 special-needs schools, 32 First Nations schools and then another 168 of a great variety. There's a hockey school. The National Ballet of Canada has a school in Toronto. There are language schools. What a rich diversity of schools, and we would want to be part of the public system. How that is administered is something we can talk about. That is an education system in the 21st century.

These schools serve primarily middle-class families, and have bursaries, family discounts and a variety of approaches to try to be accessible to as many children as they can. We are looking forward to having some lower-income families in our schools with this tax credit. That's one of the steps forward that has been wonderful.

They have external accreditation and evaluation systems in most of the schools. Many give external tests such as the Canadian test of basic skills.

Interestingly enough, we often have a cultural mix in our schools that is actually better than the regular public

schools, because a public school reflects the geographical area it serves. Let's talk about Rosedale in Toronto—and I can identify some other areas here in Ottawa. They're a large immigrant community, poorer income. That's what that school reflects. We get children from all across the cities or all across—well, mainly cities; it's obviously different in a rural community. We admit all children whose families accept the school's values, philosophy and faith perspective.

In 1984, the Conservative government established the commission on private schools, with Dr Bernard Shapiro. I served as an adviser on that commission. Dr Shapiro recognized there was wonderful education taking place in private schools and wonderful education taking place in the public schools, and he said we've got to bring these two groups together. So he recommended—it sat on the shelf; it's probably in the garbage now—the associated model for independent schools. That was very important, and it was very thorough research. He did research in other provinces and in other countries, and I suggest you look at it.

Now we are at a stage where this tax credit has come into place. We need, and have always argued for, not only the funding of independent schools so we have good parental choice, but also a policy framework for these schools to operate under. In the early 1980s, we had over a year of consultation on the appropriate public framework for independent schools to operate, and we developed these guidelines for education—I have attached a copy. They have been modified to some extent since the first presentation, but we had a committee and task force of a lot of very distinguished educators and community people who presented these guidelines. We are looking forward now to sitting down with the government, all parties, whoever is going to make these decisions. We will work with you to come up with a public document that makes us all responsible and good educators, which we are. Thank you very much.

The Vice-Chair: Thank you for your presentation. We have about a minute and a half per caucus. Mr Marchese.

Mr Marchese: Elaine, thank you for your passionate defence of education in the way you describe it. What are the fees these middle-class parents pay in your school or schools?

Ms Hopkins: Anywhere from \$2,000 to \$9,000, and that varies. The so-called rich schools—and I don't want to confuse some of you with the facts, OK?

Mr Marchese: Well, try.

Ms Hopkins: I'd like to try; it's not been easy. There are only 38 of the so-called rich schools in the province. The other 700 are in that range of \$2,000 to \$9,000.

Mr Marchese: So does the person who pays \$2,000 get a certain kind of service, or is he or she subsidized by the school or what?

Ms Hopkins: Well, they're often subsidized by the school community. The other thing is that our teachers' salaries are considerably lower in the independent schools. Again, it varies.

One of the things that has become very obvious is that there is not a lot of information, clear data, about independent schools. I would suggest the first thing we need to do is get out there and find that kind of information. It varies considerably.

Mr Marchese: And the class ratio?

Ms Hopkins: Class ratio will be anywhere from 15, in some cases, up to 30 in other cases, depending on the philosophy of education. If they have a certain amount per child, then they decide—they may not have a librarian or other resources in the school. Remember, we educate children very well, and we don't have 50,000 superintendents, consultants and bureaucrats to help us. I am a one-man show at my school. I do fundraising, promotion, all sorts—

Mr Spina: One-woman show.

Ms Hopkins: One-woman show, excuse me. Our money goes into the classrooms.

The Vice-Chair: We'll move to the government side.

Mr Hardeman: Thank you very much for the presentation. In answer to Mr Marchese's question, I did have the opportunity to call our local independent school in the city I represent, and their average class size is 25. Since that is slightly above the average class size in a public education system, the choice the parents in my community make is not based on class size. There must be some other reasons they have decided they want to send their children to that school.

Ms Hopkins: Exactly.

Mr Hardeman: You made a very forceful and compelling case for independent schools and ability for choice for parents who are in that system and the issue of fairness. There are two questions I'd like to ask quickly, and you can maybe put the answer in one to accommodate the time.

The issue of parents being the right people to make the choice for their children—I've heard a number of times in presentations that in fact parents don't know what's best for their children; governments should make that decision. I find that kind of hard to understand. The other question is the issue of quality of education, that you would need to look overall at the framework required to make your institution eligible for tuition under Bill 45.

Ms Hopkins: Exactly. We want to sit down and discuss it. We need to find out what the quality of education actually is in these schools. That data is not available, apart from—I've visited a lot of these schools and I know what they do with external examinations and accreditation and tests of basic skills, as an example.

But back to the parental ability to choose: first of all, many years ago I wrote a little pamphlet called "How to Choose the Best School for Your Child." I think we have a responsibility to help and guide, but they already make choices between a Roman Catholic and a public school system, French immersion—which level do we go in at; early, middle or late—or do we need special-needs? The advocate for families with children with special needs—they know what they want for their children, and they have to be very noisy about getting their children served

appropriately. A parent knows when a child is not learning to read properly. They know, but they don't have many options at this point. They don't do it in isolation. They're going to do it in consultation with staff, parents, professionals.

The Vice-Chair: Mr McGuinty.

Mr McGuinty: Thank you, Elaine, for the usual vigour you bring to this debate. I wasn't aware you were part of the working group for the preparation of the Shapiro report, and I want to compliment you on that. I'm very familiar with the Shapiro report and find it quite forward-thinking.

I wonder if you might take the opportunity here and now to better describe for us—I think, if I'm not reading too much into it, you are saying that the concept of an associated school, where the public system is inviting diversity, is a better vision than the rather pedantic approach being brought by the government of the day, which is, "Here's \$3,500. We'll just put that out the door and that's that." Do you agree with that?

Ms Hopkins: First of all, I didn't say it was a better vision. I was careful to say there are many kinds of administrative structures that could meet that vision. I would like to think that Bishop Hamilton School is part of a public education system; I'm operating independently and separately, but I'm happy to have that interaction and support and all those things. I see a public education system that has many choices. How that is administered is something that would be open for discussion.

I would suggest that if you really like the Shapiro report—I haven't heard you talk about it since you've been head of the Liberal Party, Dalton, and I'm disappointed. In fact, when we met, you didn't even mention that you liked the—

Mr McGuinty: I'm keeping it a secret.

Ms Hopkins: I see. Well, that's not good.

Mr Guzzo: Who was the Premier in 1986? It was that Liberal guy. I remember.

Interjections.

Ms Hopkins: He talked about the school having curricular freedom and the choice of teachers, and of course parental involvement and the funds flowing. But he really wanted teachers in independent schools and in public schools to be working more closely together for everyone's benefit. That's what we're looking for.

The Vice-Chair: Thank you very much. We really appreciate your coming forward and presenting to the committee.

1400

OTTAWA-CARLETON
DISTRICT SCHOOL BOARD
SPECIAL EDUCATION
ADVISORY COMMITTEE

The Vice-Chair: Next is Nancy Myers, co-chair of the special education advisory committee. Ms Myers,

would you come forward? We're having a mild bit of difficulty with the committee. I hope you can bear with us. Would you state your name? You have 20 minutes for your presentation. What's not used in the actual presentation will be divided equally among the three caucuses.

Ms Nancy Myers: My name is Nancy Myers, and I'm joined by Lamar Mason. We're co-chairs of the special education advisory committee of the Ottawa-Carleton District School Board. We're here today to talk about questions raised about the impact the proposed tax credit will have on children needing special education.

Most private schools will not be able or willing to provide for the needs of exceptional children. I've heard other people say to the contrary; however, our experience is that a cognitive delay in a child is handled much differently than a physical problem. We know of many children turned away from so-called learning centres and, in fact, of children who were accepted and then told a year or two later that they couldn't return when their needs became more apparent. One family was told the private school would take their learning-disabled child only if they sent their three other regular kids as well. I think it's fair to assume this will leave the public system having the needier children who cost much more to teach.

ESL children are also highly likely to be left in the public system. ESL is knowingly and deliberately underfunded. In our board, we receive funding for 3,000 ESL children. In our board, we have to provide supports for three times that number. Although the academic and pedagogical research shows it takes seven years to acquire competence in a second language, our common sense legislators still restrict funding to the first three years a child is in Canada. This means if a child is born in Ontario and lives in a household that speaks no English, the funding has run out before that child even reaches junior kindergarten, but the boards still have to deal with that child when the child arrives at school.

The accountability burden on special education expenditures by public boards has gone way up, while service levels have gone way down due to funding cuts. Private schools face no accountability, standards or certification.

Our board's special education advisory committee is currently reviewing a two-inch-thick special education plan which must be approved and presented to the ministry every year. A private school doesn't have those guidelines or restrictions. This booklet is just to tell boards how to set out the documents.

Will the intensive support amounts, the ISA funding, be available for private schools, and will they have to, and want to, fill out the mountains of paperwork required?

The vast majority of tax credits will, I am told, not go for the purpose for which the legislation is claimed to be intended: to provide equitable access to religious education. Seventy-five per cent to 90% of the tax credit dollars will go to above-average-income parents of students in non-religious private schools.

We live in a multicultural society where every child should grow up proud of their own family, but also informed and respectful of their neighbours. Whether the difference is religion, race or learning ability, society must accept and encompass all our differences. How is this possible if children are not respectfully exposed to those differences?

While the question of teaching religion is complex, there are common starting points. All major religions have a belief which, when I was young, was called the golden rule. Why can't all schools use that as a simple starting point to teach children to treat others the way you want to be treated? Why not adapt a curriculum to encompass comparative religions or humanity as a starting point to learn about the spirituality of coexistence? A few people might opt out, as would be their right, but many would not.

In the same way that I want my child to learn about the religious beliefs of his neighbours and classmates, I want them to understand the difficulties which he struggles with. He talks a little differently, has trouble finding the right words and telling a story in the right sequence. But because he might sound dumb to some people doesn't mean he is. If and when they take the time to know him, they will realize that he, and all children with special needs, are more like every other kid than they are different from every other kid. How will they get to know him and the other children who have significant academic struggles if they aren't around? What about the children, and even adults, in our society who have even greater learning struggles, such as autism or developmental disabilities? It's natural to fear something or someone who is quite different until you see up close the ways they are the same. The attitude that it's not your problem if it's not your child is false. It truly does take a village to raise a child.

Special education is already underfunded, as reported by the Education Improvement Commission in reviewing the majority of boards' spending across the province. This Lego represents 3,462 children currently on waiting lists documented within our school board. Every one of these is a little person waiting, and there are probably countless more we don't know about.

We now have more police officers in our schools than psychologists or social workers. My own son lost the services he needed most just because he turned nine years of age, not because he didn't still need the help. The children's needs don't disappear just because their programs and supports do. Needs unmet are translated into negative reactions. Children act out, tune out and drop out.

Our own director of education calls this year's budget a trading water budget. But many of our most vulnerable children are already drowning and, as one colleague says, her child isn't drowning alone, she's having her head held under water.

It's intriguing to note that since our special education supports have been decreased in the last two or three years, there has been an increase of 25% in suspension

rates. Of course, it seems that the new boot camp schools are intended to pick up where the special education supports have been amputated.

There has been virtually no research regarding the impact of the proposed tax credits on the ability of public boards to sustain services for special needs or on any other impacts of the proposed tax credits. It's public money. Why do you think it's called public education?

Ms Lamar Mason: It has been interesting to note many of the comments made just previous to us; the issue about being able to run a school without a superintendent and that the public boards are overwhelmed with administration. Public boards are overwhelmed with administration because that is what is required of us in order to obtain our funding. The OCDSB, for instance, spends millions and millions of dollars meeting the system's requirement for EQAO testing. None of that impacts our children's learning, none of it affects what happens to them as they go through the system and none of that expenditure by our board has been covered by the government. Our funding levels, the public funding rates, were set prior to that obligation being placed on boards, and money that the board should be spending on special education is going to test our students. Other than the grade 10 testing, none of it impacts their actual academic progress. The results come out the following year. Many students aren't even in the same school. So none of that testing follows the students and none of it impacts the individual child. Many schools are using it to look at their overall delivery but none of it comes back to the child.

Special education needs are unique. We are significantly underfunded. This board used to be one where everybody came from all the other systems—the Catholic system, the private system, the independent schools—into the OCDSB because that's where their children's needs could be met if they were exceptional. Now they're beginning to flow out. They're looking to other options because there is no more funding for their students. The Lego represents those children that we know of who cannot be served because we don't have the money to provide the resources. God help this board five years down the road on its literacy testing in grade 10, because we will not have met the needs of those students.

1410

People are interested in this \$3,500 because the public system is dying under the administrative and paper burden, the constant changes and the denigration of our teachers. That's why people are moving out of the public system and looking to acquire these funds, because the public system is no longer a quality system. It has been destroyed over the last six years. So people think, "This is great, I can make a choice. This is the choice I will make. It's no longer meeting my needs, because it can't. It doesn't have the funds and it doesn't have the public support to do that."

Special education students will not be accepted into those other schools. They are constantly dumped out of them. We know that. We have the experience. Who will look after those children? The percentage of children

with special needs in your public system is increasing daily because they will not be taken elsewhere. The public system has to take them and yet we are underfunded. The percentage of those children in an average classroom will steadily increase as the number of children who can take the option and be accepted elsewhere move out of our system. That's not fair to any of our children. Instead of moving the dollars out of the system, let's move them back in.

I applaud the suggestion that the independent schools come under the public system. I'd like to see them manage themselves and deliver what they want to deliver under the same rules and regulations that the rest of us are dealing with.

Within the OCDSB, we have alternative schools which had a unique delivery model. They had a non-graded curriculum. They had multi-grade classrooms. They were the leaders in centres of learning within regular public school classrooms. They had to go and specifically lobby this government to be able keep non-graded report cards. Because they're in the public system, they can no longer produce a report card that reflects their philosophy of education. You're destroying a choice within the public system simply because everybody in the public system has to use the same report card. Why would that restriction be placed on our students under your funding and not on other schools? Why isn't the flexibility allowed within the public system? Why are you suggesting that we have to go outside the public system to provide choice? The public system has been trying to provide choice and it is destroyed by the administrative burdens and requirements placed on it under this government.

The Vice-Chair: We have barely two minutes for each caucus, starting with the government side.

Mr O'Toole: I appreciate your presentation. I just want to acknowledge that special education is a specific issue that's been addressed for the last while. I hear what you're saying on the bureaucracy, the administration, the red tape. If there's anything specifically that you as an educator can do—I've heard it from my own board and I've written to the minister about it. We must trust the education professionals in that sense, and specifically special education. The skills they bring to it often aren't specifically teaching skills. They are more working with children, whether it's the therapy or OT. There are some problems there on the other side if you've got to be a member of the teaching federation. But I do hear you.

The Royal Commission on Learning, I believe, identified the fact that the system needed to be awakened. They didn't have a commission because nothing was wrong; they had a commission because everything was in some dispute. Some mechanism for accountability needed to be brought back. The public wanted it, not just the government. It was called for in terms of having standards. David Cooke actually started this process.

Mr Marchese: Oh, come on.

Mr O'Toole: He did. The EQAO was started by him, the College of Teachers, all that stuff. And good for him.

But my point is this: I think it's sometimes portrayed that we're not interested or we created this situation, as some would say. I think we need to have positive suggestions, specifically with children at risk, because they can't just assimilate into the world easily. The more we can do for them early, the more we're actually avoiding problems in the future that may just be delayed.

If you want to comment on any of that in a specific way, on red tape, I'd be very pleased to hear about it.

The Vice-Chair: You didn't leave them much time. You have about a half a minute to respond.

Ms Mason: I'd just like to remind everybody that the royal commission was called For the Love of Learning. Unfortunately, within our public system very few people are still loving to learn because of what has been unfairly imposed on them in the way of changes, without the consultation and the time lines to do it effectively, to benefit our students. That's the problem.

In terms of special ed, we'd be more than happy to send in specific suggestions. Our board has done that regularly. It's volunteered for a number of the standards committees. Unfortunately, we're finding that often what we're trying to say is not being heard effectively, and the boards are trying to pretend there's nothing wrong so they don't get nailed. So it's a two-edged sword.

Mr McGuinty: Thank you both for your presentation. The Mike Harris government has had their hands on our children's education for six years now, and for a government that was supposed to be against bigger public institutions, more bureaucracy and more red tape, the actual experience on the ground has been that, as a result of their policies, our teachers, our administrators and our trustees are so stifled by the politburo, they can't make a move in terms of creativity and innovation and helping further evolve public education so we can better meet the needs of our parents and our students. I just wanted to vent on that score.

I'll tell you what will help the government members best here today from my perspective. They believe they've put all kinds of money into the system, that money is not an issue and that we have enough money right here in the Ottawa board to deal with our special education needs. Could you speak to that?

Ms Myers: I'd like to start. My son could have been your poster child until three years ago. He was identified early, he got school language support and he was IPRC'd, which is the rubber stamp to get into special ed, in case some people don't know the lingo, into a small class specifically for children with his kind of problem. For five years he did phenomenally well. He's struggling with math, he's a bit behind in reading, but he's on the road to literacy.

Two years ago when the de-funding started kicking in, he lost the supports. Our board didn't do that out of malice; they did it because of the de-funding. The Education Improvement Commission itself—if you look at and compare all of the different boards, they averaged our board. For example, we had one speech pathologist for every 2,200 children. They averaged us with boards that

have one for every 22,000 and then they said, "You're spending more than average." They actually compared two boards again—I think it was Kenora Catholic and Keewatin-Patricia—and they gave them great kudos for very innovative thinking because these two coterminous boards got together and pooled some of their special ed money to hire a speech and language pathologist. When you add up, it's 9,000 square miles and 6,000 kids. I hope she came with a helicopter.

The Vice-Chair: We'll move on to the third party.

Mr Marchese: Thank you both for the information you provided to the committee. Your point about the fact that 70% of these public dollars is going to go to the non-denominational schools—they never talk about that. I don't know why. Thanks for the reminder that in this board—

Mr Spina: Oh, come on.

Mr Marchese: It's true. Oh, please.

The Vice-Chair: Order, please.

Mr Marchese: I think he said there are 3,400 students who are on waiting lists here in Ottawa. There are 33,000 waiting in Ontario.

Ms Myers: There are 37,000 now.

Mr Marchese: It's going to go up. It's an ever-incremental number. It's an important number, because the public system is ailing, and it's ill because these people refuse to put in the money. Those who can afford it will go out and pay the—

Mr Guzzo: We're paying the interest on Bob Rae's mistakes.

Mr Marchese: Hold on, Garry. Those who can afford it will go out and pay 25,000 bucks—some \$35,000, I hear—to pay for the service that you are required and expected to do with so little money, and 35,000 are waiting.

I'm puzzled. M. Hardeman says, "But it's wonderful to give the choice to parents," and they say they're accountable to the parents. You are accountable to parents, to them, to the system, to everybody, but he speaks of this wonderful flexibility these parents are being given. You spoke about the fact that while they're being given this flexibility, you have none. You're not giving any.

Ms Myers: May I clarify something I think you all perhaps don't understand? The special education advisory committee—we are parents; we're not teachers.

1420

Ms Mason: The other point I would like to make, which you did reiterate, is that the advantage to the private schools is that they can continue to increase their fees to cover the additional needs or expenses they encounter. The public system doesn't have that. The OCDSB has cut \$23 million from its special-ed budget. We've been told by the province that we're still \$10 million overfunded. We're taking that \$10 million out of a variety of other envelopes that we have—not administration, since we are down to 2.6% in terms of our administrative costs, as the government accounts for them. But we have to take them out of a variety of other areas to

support that \$10 million. Next year we won't have a choice; we will cut that \$10 million.

The special education advisory committee has produced a needs-based budget that shows we are a minimum of \$23 million short at our current funding level. That's \$33 million we need to meet the needs of our students, over and above what the government thinks. That's—

The Vice-Chair: Thank you very much. We appreciate the presentation. We are well over time. We have to move on to the next presenter.

OTTAWA MONTESSORI SCHOOL

The Vice-Chair: The next presenter is Lisa Addario, board member for the Ottawa Montessori School. Would you come forward. Would you mind stating your name as you begin. You have 20 minutes in grand total for presentation and responses from the three caucuses.

Ms Lisa Addario: My name is Lisa Addario. I'm a board member with the Ottawa Montessori School. I have two children enrolled in the school, ages six and four.

First, I'd like to thank the committee for travelling the province and giving parents, educators and interested members of the community an opportunity to speak on this significant piece of legislation. I am sure you have all heard the arguments in support of and in opposition to this bill.

What I would like to focus on for the next few minutes—and I don't think I need to use up all my allotted time—is the message of creating opportunity. This bill will lead to increased opportunities for children. Parents who send their children to independent schools do so for a variety of reasons. Our parents at the Ottawa Montessori School do so because they believe in a curriculum and a learning environment based on the Montessori pedagogy.

Parents want choice because children don't all fit into a standardized mould. In determining what school is best, parents should have the choice and the chance to trust their ears, their eyes and their gut instincts. To be honest, when I enrolled my son at the Ottawa Montessori School, I didn't know what I was getting into. I thought that OMS would provide him with a more structured learning environment than daycare and I sensed that that would be a good fit for him. And it cost no more than daycare.

Nothing beats personal observation. During the time when my child was in the class for children aged three to six, I saw three things.

First, in this class of blended ages, under the watchful eye of the teacher, I saw older children spend a portion of their mornings teaching the younger children work. As a result, from the earliest age children learned and, are continuing to learn to care for younger children and at the same time, their confidence grows as they develop ease in handling the materials and explaining the concepts to the littler ones.

Second, the Montessori materials are perfectly designed to exploit a child's love of patterns, shapes and

order. As a result, by the age of five my son had learned grammar. These are the parts of speech that he has learned to identify. He liked that, but his particular passion was for numbers, and the materials under the Montessori pedagogy are sufficiently malleable that he could go on learning and learning and learning.

When he came to the end of the age group and I had to make a decision about what to do for him, I went to observe the public school at the end of my street. I flipped to the back of the math curriculum. That's his passion. At the end of grade 1, the math curriculum was "12 minus five equals seven." My son had just completed half a year as a five-year-old in the Montessori school. He was adding four columns of numbers, having learned the concept of borrowing. I have some of the addition and subtraction materials with me and I would be happy to share it with the committee members if they have time, as well as his history of the world in eight pages.

This year, at the age of six, he started long division. I saw my son's dilemma very clearly: he would be bored stiff in public school. The school where he was and is now, through its pedagogy, I emphasize, does the best job of nurturing his fragile spark of creativity, curiosity and intelligence. I want to emphasize that my son is not a genius in any way. How do I know this? Because other children in the classroom are doing the same level of work as he is.

No one educational approach can be right for every child. The proposed tax credit will encourage parents to seek out the best educational fit, not only between the child and the school but also between the parents' values and goals for their children's education and what a given school can deliver.

Dr Maria Montessori created her approach to teaching with children in the inner city who were thought to be unteachable. The belief of the school community that we have chosen for our children ascribes to the view that there is more to life than simply the pursuit of wealth and power. According to Dr Montessori, finding one's place in the world, work that is meaningful and fulfilling and developing the inner peace and strength and depth of soul that allows us to love are the most important goals in life.

What I've just told you is that by encouraging parents to make choices about their children's education, this bill will also create a strong sense of school community, of parents who are committed to pedagogy and values, whatever those may be.

I also want to point out that this is a financial struggle for my husband and me. But I think my son and daughter are worth it.

I said I observed three things. The last thing I observed, which resonated quite deeply for me, was a sense of community, both nurtured in the classroom and in the larger Montessori school. My children are living in a microcosm of a world that I aspire to create in our society. This is a community fostered by a like-minded commitment and a classroom that develops a sense of community with their classmates and their teachers. I certainly agree with the last speaker, that it takes a village

to raise a child. I think the Montessori pedagogy makes for a contributing, vibrant member of our village.

Finally, I have been a public servant for most of my working life. I work in the voluntary sector. I sit on community boards. I have worked in every political campaign since I began voting. I believe passionately in the notion of community, and if you don't like something in your community, you work to change the system. I have been devoted for the last 10 years to the struggle for equality for women. I do not see my decision about the appropriate pedagogy for my child to be elitist or selling out the public system. I see it as fulfilling my responsibility as a parent to support my children to become the best they can be. Parents should be free to explore their educational choices and not be limited by their income. Thank you.

The Vice-Chair: Thank you very much for your presentation. We have approximately two minutes per caucus, beginning with the official opposition.

1430

Mr Patten: Thank you very much for your presentation. I happen to share most, if not almost all, of what you have to say. I suppose one of the comments you're making is that the flexibility you would seek is really not there in the public system. I agree. I think there's too much government infusion of "one way is the best way." It is micromanaged more and more from Queen's Park. That's killing, in my opinion, the public system.

I'm a believer in the big tent theory; that is, we should have the flexibility to have a variety of approaches, a variety of contexts, because, as you and others have said, each child is a different child, a unique human being, and not all children respond to the same particular approach to learning. I would ask you, if we began to develop the public system to have that kind of flexibility and support for the acknowledgement of the diversity of approaches, would you welcome the opportunity to be part of that?

Ms Addario: I would welcome the opportunity to make any contribution that I could around the Montessori pedagogy.

Mr Patten: No, I'm telling you, in the context of a more flexible public system.

Ms Addario: I would be interested to see what the terms of a flexible public system were before I made that commitment.

Mr Patten: Fair enough.

Mr Marchese: I think there are a lot of people who agree and understand that kids learn differently and that there's no one right approach to children. Teachers recognize that in the public system. In spite of the \$2.4 billion, they do a good job, because they know not all children learn in one way. There are probably 16 different approaches to reach children. Many of the good teachers use many of those skills, given those limitations they are facing by this government in particular but probably by all governments in general. All children think differently too. Teachers think differently. We all think differently. Teachers are supposed to talk about the fact that we do that and we are supposed to respect that,

contrary to some views that somehow we are homogeneous and we teach in one way and we think one way and we teach our children one way and so on.

I understand what you're doing as a parent and I know you're making sacrifices. Some of those fees that some of you pay are very excessive. Most people don't have that choice. You're doing so with sacrifice. I understand that. Your fees are probably high, right? What do you pay—\$6,000 or \$7,000?

Ms Addario: I pay \$6,900 for my son and \$5,500 for my daughter.

Mr Marchese: It is a tremendous sacrifice. Most people wouldn't be able to take that choice, but you do so because you like the pedagogical approach of Maria Montessori. God bless; I understand that. I'm a profound believer in the public system. I really am. I'm a profound believer that when children are not learning and they're gifted, we help them. As parents, it is our job to make sure that we help the system and we remind governments about the help we need from them to do that, as opposed to saying, "My choice is not there. My kid in that public system would be bored; therefore, I find an ideal school where I've got to pay money to get that." I don't subscribe to that. I don't think the public should be paying for that kind of choice, I really don't. It may be that our views are irreconcilable in this way and that they are satisfying your need. For me, the public system satisfies our needs as a society. Just thought I'd put that out.

Ms Addario: I appreciate your commentary. You premised your remarks on the notion that the two are preclusive, that you can't have one and the other. I'm not qualified to speak to that. In December of last year I went into a lovely classroom maintained by a wonderful teacher, who I saw employing a variety of approaches within the public system. I looked at the curriculum and saw how uncondusive it would have been to the particular learning passions of my kid. I would put to you that, were you in my position, you would have found yourself on the horns of a dilemma.

Mr Hardeman: Thank you very much for the presentation. I really appreciate the personal part of it, bringing in the activities that your son—it was your son wasn't it?

Ms Addario: It is. I had to watch myself not to become too much of a doting mama when I was doing this presentation.

Mr Hardeman: I appreciate that. Of course, we've had a number of presentations based on the Montessori way of educating and the difference from the public system. All parents seem to agree that it is the difference that they go for and that they make the parental choice on.

The opposition in the last number of days have been suggesting that all that's available outside the public system for our working families in this province could be made available in the public system. It would seem to me that in the Montessori approach that may be possible, to have a Montessori type of education in the public school

system. But the people I represent who send their children to the schools for religious reasons have been doing so for 40 years and all that time have been watching the public system take away more and more of the reason that they left the public system for; not making it better, but making it worse, based on religious education.

I would not ask you to speak to the religious portion of the choice, but do you believe that what you want for your children is likely to become part of our public education system in the time that your children will be going through the education years?

Ms Addario: There are people far more qualified than I to speak on the Montessori curriculum. I can tell you from my experience that although there is considerable flexibility within the classroom, the classroom itself is a highly structured environment. The time during which children need to be engaged in work is meant to comprise at least a minimum block of three hours of time; that the blended classrooms are a key. I think there are probably a variety of eccentricities that are unique to Montessori. I would caution between importing Montessori-style philosophies and having a Montessori classroom.

The Vice-Chair: Thank you very much for your presentation. We appreciate your coming forward and giving us your thoughts.

OTTAWA-CARLETON DISTRICT SCHOOL BOARD

The Vice-Chair: Our next presenter is Mr Jim Libbey, director of the Ottawa-Carleton District School Board.

Mr Patten: That's not the correct title. He's chair of the board.

The Vice-Chair: My apologies. I read what was here. He's chair.

Mr Jim Libbey: I am the chair, which makes me the elected official, not the CEO. I think that's a very important distinction. I'm a layperson. I'm an angry parent. I have been for many years—about four to be exact. That's why I ran for this position some years ago and that's why I ran for it again.

Mr. Chair, members of the committee, ladies and gentlemen, on behalf of our 80,000 students, we appreciate this opportunity to explore with you once again—well, some of you, anyway—the funding issues and other issues facing Ontario school boards. I want to cover three topics.

First, accountability and responsibility: the government used these terms quite liberally, if I may put it that way, in the budget speech and related documents. It's time for Premier Harris and Finance Minister Flaherty to take a look in the mirror. It's time for them to act responsibly and be accountable to the people of Ontario. The second topic I'll talk about is the desperately inadequate allocation in the 2001-02 budget of an increase of a mere \$360 million to public education and the misleading suggestion to Ontarians that this somehow

gives boards some flexibility. Shame on the government and its spin doctors, for once again they have gone over the top. The third topic is the so-called equity in education tax credit, the astonishing flip-flop, the misguided giveaway of tax dollars that caught even its beneficiaries by surprise.

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Nearly four years ago, with the passage of Bill 160, the government accepted the responsibility to fully fund elementary and secondary education in Ontario. As we speak, the government has yet to complete the development of its funding formula in critical areas such as special education and transportation. Parts of the formula that are in place are fundamentally flawed. The government has therefore failed to comply with section 234 of its own Education Act, which requires that regulations governing education funding operate in a fair and non-discriminatory manner across different types of boards. Worse, the government has failed to a very significant degree to allocate sufficient funding to the Minister of Education to finance a workable formula, if and when it ever is completed. Indeed, in today's dollars, the government has reduced the investment in education by some \$2.3 billion per year. The impact on students is unacceptable and the intergenerational inequities that are being foisted on Ontarians are disdainful. Future Ontarians will inherit an inadequate capital infrastructure for schools as well as the enormous costs associated with the government's failure to enable our youth to achieve their personal best.

We discussed these matters with this committee on February 19 of this year. As you well know, we were largely ignored. So let me again summarize for you the financial impact on the 80,000 students of the Ottawa-Carleton District School Board. Having finally received information on our grants, two months late, we are now in the process of examining our staff-proposed budget. Our estimated expenditures for 2001-02 are \$524 million. As the first step in getting to that figure, we have to cut \$18.3 million from last year's budget, for a cumulative reduction since amalgamation of \$79.3 million. The provincial grants of \$490.7 million—our staff's estimate—and miscellaneous revenues of another \$13.2 million are then woefully inadequate. So the proposal we have in front of us is to make up the difference by taking \$20.1 million from our operating reserves, leaving them virtually empty.

Doing these things will sustain us for the coming year only, but without major increases in funding and changes to the formula, there is no way that we will be able to deliver a reasonable level of programming in 2002-03. That is, we will not be able to meet our obligations under section 170 of the Education Act. Indeed, some question whether we are meeting these obligations today. Perhaps the two ladies who were speaking moments ago from our SEAC were essentially explaining that to you.

I want to just take a little aside here and tell you a bit about what choices we're making. We're working on these choices tonight, if we can stay standing long

enough. One has to do with the Canterbury Arts coordinator. An earlier speaker mentioned Canterbury Arts. It is indeed an excellent program. We're very proud of it, but it has already been hurt severely, frankly, by this government's cranking down of the cash. What we're discussing now—and we've had enormous numbers of e-mails, and I hope that some of the MPPs have had some of those e-mails as well—is 0.6 of a person-year, of an FTE: the arts coordinator. There was great concern that they were going to lose their arts coordinator. Can you imagine that? That's the kind of choices we're trying to make right now.

There's another choice that has been tossed up for us to work on and it has to do with our alternative elementary schools. These are schools and programs that very similar to those of Montessori, I'm told. We have those. We have about 1,300 kids in them and we have trouble putting the right numbers of teachers there because they happen to cohabit schools with regular programs and they have to be allocated teachers on a formula that doesn't particularly work for them. Here again we're talking about a couple of teachers. This is how bad it's become.

We gave you most of the details on this funding issue in February. We did not ask for the \$2.3 billion, you will recall; we asked for \$1 billion only for this year and we requested that the government launch a thorough review of the funding formula immediately. We are currently working on a needs-based budget that will explain the situation even more fully to you. They are doing the same in Toronto and, I suspect, elsewhere.

We have probably said enough about the inadequate funding for now, but I must comment on the deceptive spin around the budget allocation of \$360 million in new money for 2001-02. The technical paper, not the rhetoric—the rhetoric too, but the technical paper itself—says, "Boards will have increased flexibility to use revenue from student-focused funding to address local priorities." What a sorry joke. The reality is that our share is some \$11.4 million, or an increase of 2.4%. Last year, the province sent us grants of \$490.9 million. This year, they are going to give us grants of \$495.7 million, a whopping increase of 1% in an enterprise where 80% of our costs are salaries and benefits, where enrolment has increased and where inflation is over 3%. Clearly, this allocation is inadequate. Just as clearly, our resources have in fact been cut this current year, not increased. Think about it, please.

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This is almost as big a deception, frankly, as the claim in the run-up to Bill 160 that property taxes had been increasing because boards could not control costs. The simple truth then was that successive provincial governments had significantly reduced grants to school boards, thereby downloading costs and forcing up property taxes. Mr. Chair, many people are starting to believe that we should return to a system that would truly enable locally accountable trustees to meet the needs of their cities.

I must talk about the equity in education tax credit, so-called, this euphemistically labeled "equity in education

tax credit"—the \$300-million gift to those Ontario families that have already made personal decisions not to avail themselves of the publicly funded system. But now you know very well that Ontarians are not amused by the surprising and profound policy flip-flop, or by the failure to explain the rationale much beyond the government's usual "some parents wanted this choice." Not good enough.

Ontarians wonder about the government's purposes and assumptions. Is this policy intended to address the concerns of the UN human rights committee? If so, it fails. There has been no process. Alternatives have not been considered.

Does the government intend to save money when grants to the public system go down as families take advantage of this generous incentive? If so, please remember this: just to break even, the government needs enough students to leave the public system to cover the cost of this outright gift of \$300 million to the families of existing students. That's a lot of students that have to leave the public system, and it is inconsistent with the government's claim that not many students will leave public education because of this incentive. It is however, consistent with the Premier's suggestion on May 14 that the tax credit is actually a saving: "Every person who sends their child to an alternative school still pays full taxes to support the public education system," said Mr. Harris.

More questions: under what conditions will independent schools qualify for this privilege? Will they be exposed to EQAO testing, including its administrative burden? Will they hire teachers with Ontario qualifications? Will they have to make their financial statements public? Will they be compelled to provide services to special-needs children? I think not. I could go on, but the basic question is: will they be held accountable?

Mr Chair, public schools challenge all students to achieve personal excellence in learning and in responsible citizenship. In Ontario, we value our diversity. This tax credit has the potential to divide people, rather than bring them together. One need only look south of the border to see that these sorts of incentives have had the serious negative effect over time of creating a counter-productive and inherently unfair two-tiered system of education. To put that another way, there is nothing equitable about the equity in education tax credit. With few exceptions, only a select group will attend the private schools.

Finally, Mr Chair, there are about 30,000 students in denominational schools and about 72,000 in non-denominational schools, the reverse kind of ratio from when you think of it in terms of number of schools. Think of it in terms of number of kids, because that's how the tax credit gets calculated. Let's separate these two cases, the religious case and the non-religious case, and analyze them separately if we're going to make some decisions, because they are extremely different. You've totally entangled them and you made a presentation in your budget document which implied that we're just

talking about the religious ones. Sleight of hand will not do it in Ontario. You're being found out. Come clean and do the right thing.

Please recommend to the government that this proposed tax credit be eliminated from Bill 45 and that other alternatives be examined, such as religious and cultural schools within the public school system, as you've been hearing about today. Indeed, considering the significance of religions and cultures as forces in this world of ours and in this province of ours, perhaps we should adjust the curriculum so that all students could learn more about these religions and these cultures.

In Quebec and Newfoundland, robust public processes, including referenda, were used to engage citizens in making a fundamental change akin to the equity in education tax credit. Please do not short change Ontarians in this respect.

Mr. Chair, I'm ready for questions.

The Acting Chair (Mr Joseph Spina): Thank you, Mr Libbey. We have just under three minutes per caucus, and we shall begin with Mr Marchese, NDP.

Mr Marchese: Thank you for some of the helpful reminders, particularly with respect to alternative schools. I was a trustee with the Toronto board of education and proud of our history around alternative schools. But they're all in trouble now because of the inflexible funding formula that doesn't take into account differences in our public school system. I'm amazed that either they don't know about alternative schools within public school systems or they just refuse to acknowledge that they exist and the kinds of service that they provide.

Second, I really believe, and many parents believe as well, that the underfunding of the educational system by \$2.3 billion, coupled with a tax credit which is an incentive, will create the necessary conditions for many to leave our system. Are you one of those who agrees with that as well?

Mr Libbey: I think that's one of the questions this government has to do a little bit of work on. We certainly haven't been able to work on it because this issue has not been on the table. The government has been very clear this issue has not been on the table. Who's had any chance to do research? We don't have an opinion on that. Nobody has been able to do any thinking.

Mr Marchese: We asked that as well. Listen, I have no doubt this will go through.

Mr Libbey: Well, I hope it does not go through. This government was able to change its mind on Bill 74; it can change its mind on Bill 45. It just has to do it very quickly.

Mr Marchese: I hope that you're right. I think that this government should give a guarantee that says if 10 students leave our public system to go to the other systems, if 100 go to the other system and it means this shortfall to the public system, we will guarantee that an equal amount of dollars will go back to it. Would you not want or expect a government to say that?

Mr Libbey: That might be kind of minimal approach to the situation, but I think the issue is much more

profound. That's not a correction or a fix that I'm all that interested in. If the government wants to offer it, fine, but please offer it along with, in our case, about another \$30 million or \$40 million so that we can get through life.

Mr Marchese: Of course. They keep on saying, as you pointed out, that they are putting more money into the public education system, and it's some \$300-million-odd now, but that they have given more to the public system than any previous government. That's what you hear them say all the time.

Mr Libbey: They've put money in, but they take resources out, because money does not keep up with inflation and enrolment rolls. They don't seem to understand that, because they keep denying it. They seem to be math-challenged. They should come to our school board and learn some economics.

The Acting Chair: Government caucus, Mr Guzzo.

Mr Guzzo: Let me thank you very much for your comments. As usual, you have been concise and cut to the bone. But let me ask you a couple of questions, please. First of all, no one wants to help you more than I do. I go to the Ministry of Education in Toronto, trying to argue for the Ottawa situation, and here's what I am told. In 1995, Huron county and Leeds-Grenville were educating a child for \$5,600 a year; Ottawa-Carleton was spending \$9,600 a year. We went to the chancellor at Queen's, we went to the rector at Ottawa U and at Carleton. We said, "Are these other places living up to the minimum standards?" They said, "They're not only living up to them, they're doing a better job than Ottawa-Carleton." Now we have the test results, and you know something? The test results support the chancellor at Queen's and the rector at Ottawa U.

Now you're on equal footing, and I want to know why you can't do as good a job as some of the other boards.

My second question is this: in arguing for the money and arguing for additional resources, I'm asked, "Do they still own Ottawa Tech?" "Yes." "How long has it been since a student was educated in Ottawa Tech?" "Twelve years." "What's the value of the Ottawa Tech land?" "It's \$200 a square foot." "That's \$6 million or \$8 million an acre. What are they doing with that building and why are they sitting on it? What about the headquarters down on Gilmore? Do they have a for sale sign on it? Are they trying to move it?"

Mr Libbey: I hope the member is going to leave time for me to answer this time, not like last time when they ran out all the time on me. The Ottawa Tech building is in a situation where we have to deal with it within the regulations set by your government, sir. Your government will not let us realize any money from that unless tiny miracles happen, and they aren't going to happen. We can talk about more of that off-line.

Mr Guzzo: Try selling it and see how the money flows.

Mr Libbey: OK, I'd like to answer the other question. First of all, we—

Interjections.

The Acting Chair: Let Mr Libbey answer the question.

Mr Libbey: We give your government credit for trying to be fair across Ontario. That was your stated purpose up front. Had you stuck to that and had you achieved that, that would have been a good thing, but you have not stuck to it, nor have you achieved it. You did try. You have a funding formula. The funding formula is incomplete.

We now sit here in Ottawa—and you have this analysis in front of you, thanks to Mr McGuinty, I believe—that shows that the Ottawa-Carleton District School Board is now getting \$6,694 per student whereas our Catholic counterparts are getting \$7,162. If you multiply that out, for us to come even with them, we need another \$33 million or so. That's what your funding formula is doing. And you will recall that I specifically gave you the analysis with respect to transportation where we are getting hosed, frankly, by about \$5 million or \$6 million. We just cannot compete with them on the transportation front.

The Acting Chair: Thank you, Mr Libbey. You will have the opportunity, perhaps, with the Liberals. Mr McGuinty.

Mr McGuinty: Thanks very much for being here today, Jim, and thank you for the continuing work that you do. It is not an easy job, and I, for one, am grateful for your having taken on these responsibilities.

We live in a world where parents have tremendous concerns about the future for their children and very high expectations when it comes to schools. People are much more consumerist now, and they are looking for different opportunities. I'm just wondering—you understand this. I've had the opportunity to chat with you. Parents are looking for the best for their kids, and I'm wondering, given the appetite now for a range of programs that will better meet the needs of individual children, I want you to juxtapose that growing appetite with your ability in the Ottawa board to meet those growing demands.

You talked about Canterbury, a school I'm very proud of, which is in my riding. You talked about some of the alternative school models that you've just been able to get your foot in the door on. How much are you really able to innovate and to explore new possibilities and better meet the needs of demanding parents?

Mr Libbey: Thank you for the question. I think some of the things that I've referred to, like Canterbury and the alternative elementary school, are right to the point. We're splitting hairs trying to keep these programs the way we want them.

We believe very much in choice. We define choice primarily in terms of giving Ontarians, giving Ottawans in our case, the kinds of programs that they need—not the bricks and mortar; that's not really the big issue. What programs do they need? How can we get them into their hands?

Another program that we have is the International Baccalaureate. We would love to be able to provide that program in a much more robust way than we do, like

many other places do. The additional costs that are related to that program are picked up by the boards. We can't do that. We have to charge parents those incremental costs in order for them to go to the IB, the International Baccalaureate program, an excellent program, at Colonel By high school. We would love to expand that.

Talking about choice, we have just put on the street a few months ago for public consultation in Ottawa the New Vision document for secondary schools so that Ottawans can tell us what choices they want. We started debating that particular document just last night at our education committee.

We have alternate secondary school programs as well, and these are very, very powerful programs for kids who just can't quite make it in the regular school, for various reasons. These have been extremely successful. These are the schools that are keeping our kids out of the detention homes that they might otherwise end up in. We're very proud of that.

There are a lot of choices we offer. We want to offer more. We need some flexibility.

The Acting Chair: Thank you, Mr Libbey. We appreciate your coming before the committee today.

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RAILWAY ASSOCIATION OF CANADA

The Acting Chair: Our next presenter is the Railway Association of Canada. Would the people please come forward? Please identify your name for the purposes of the Hansard record. You will have 20 minutes, combined, for your presentation and questions if there's time left.

Mr Gérard Gauthier: I'm Gérard Gauthier with the Railway Association of Canada. I'm filling in for Chris Jones, who is responsible for this file, who unfortunately could not make it today. So please accept his apologies, and mine for not being on top of that file as I should be. But Ron Mason, who is manager, property, for Canadian Pacific Railway will certainly be able to answer any specific question you might have.

I believe you have a copy of my declaration, which I will read to you. To this declaration is also attached a list of our members and a document called Developing a Continental Transportation Policy, in which you might find useful information.

There are 23 railways operating in Ontario that are members of our association. They employ 10,000 people directly and make a significant contribution to the growing Ontario economy. Our suppliers also employ thousands of people.

Forty-one per cent of Ontario goods depend on rail to reach their markets. Over 90 million tons of freight moves by rail every year. This is the equivalent to over five million transport truck movements that would otherwise add to highway congestion and pollution.

The rail industry makes a big contribution to Ontario. In 1999 alone, the railway industry paid \$111 million in various taxes in Ontario. This breaks down as follows:

property tax, \$36.3 million; locomotive fuel tax, \$27.4 million; sales and excise tax, \$37.6 million; capital tax and customs duties, \$9.8 million.

The RAC supports Mr Beaubien's report. The proposed changes to OPAC are very positive, in our view. We believe the recommendations will bring a new balance to OPAC's board of directors, which is fairly important. It will also bring a renewed accountability to Ontario taxpayers and a refined relationship with the Ministry of Finance. The Railway Association of Canada agrees further property tax administrative and regulatory changes are needed, but that undertaking must include property tax policies affecting railways.

We understand railways might be included in the reference to linear corridors, but that's the only reference to railways in the bill. The railway association supports Mr Beaubien's proposal to further review and refine Ontario's assessment regulations.

Ontario taxation of railways is uncompetitive, unfortunately for the shippers who depend on rail. The property tax burden is unbalanced relative to a few aspects. The first one is the comparison with railways in other jurisdictions. At the end of this declaration you have a list of the differences. You can see that Nova Scotia exempts corridors from all property taxes, New Brunswick exempts corridors from provincial property taxes, and Quebec grants a 75% tax credit for property taxes paid on corridors. The value of that is \$13 million per year. This is fairly significant. The taxation system in Ontario is higher than in most other provinces and US states.

The taxation is also unbalanced when you look at other types of transportation. The airline industry, the marine carriers and also the trucking industry are paying less taxes than we do. If I might add, I think despite the remarkable success of the privatization of Highway 407, it remains that the current operators are not paying taxes for that corridor. That gives an edge to our competitors, the trucking industry.

If I can draw your attention to the consequences of the failure to alleviate the property tax burden on Ontario railways, we see that there will be an increase in road renewal and construction expenditures. This is to a certain extent a vicious circle. The increase of the road renewal and construction expenditure will increase the demands for roads, which will increase the demand for expenditures.

A study commissioned in 1997 by the Eastern Border Trade Coalition concluded that it would cost \$2.9 billion to extend the Ontario trade corridors.

The environmental impacts of moving more freight by road are unsustainable over the longer term. Just think about the increased pollution that would result from this. Other associated costs of the status quo reliance on road haulage are collisions, policing, gridlock, which you're probably very familiar with if you came here this morning, delays in deliveries—health and quality-of-life concerns for all Ontarians.

The current rates are unsustainably high. Ontario property taxes on railway corridors skyrocketed by 50%,

or \$7.7 million, from 1990 to 1997. In 1998, the finance minister capped property taxes on railway corridors of existing railways at their 1997 level. That cap entrenched an unsustainably high level of taxation. Taxes continue to escalate from \$36.3 million to \$38 million from 1999 to 2000. These elevated rates put the entire industry at risk, mostly the short-line railways. The industry partners are also affected by this.

We call for action. We think that there is a need for immediate attention to increasing railway property tax costs; that a long-term solution be found through the next phase of the review suggested by Mr Beaubien and confirmed by Bill 45; the confirmation of the Ministry of Finance policies and appropriate application by OPAC.

In conclusion to this short presentation, the RAC supports Mr Beaubien's recommendations as adopted within Bill 45. The RAC agrees with the intent to continue consultation on the property tax system. Railway property tax costs need to be addressed. Finally, property tax policies relating to railway yards need to be clarified and applied.

If you have any questions, I'll be pleased to answer, and I'm sure Mr Mason will be able to provide specific answers. Thank you.

The Vice-Chair: Does that end your presentation or do you have any comments to make at this time?

Mr Ron Mason: No, Mr Chair. If there is anything to add, it is just that essentially we support Mr Beaubien's recommendations. However, we're still looking for some clarification on mixing us up with other entities.

The Vice-Chair: Thank you very much. We'll convey your thoughts to him. Normally, he is the Chair of this committee. Due to the passing of a friend he is unable to chair the committee today, but I'm sure he'd appreciate your comments.

We'll start with the government side. We have a generous three minutes for each caucus.

Mr Hardeman: Thank you very much for your presentation. I have had the opportunity to speak to Mr Beaubien a number of times during our travelling around the province on the budget bill. As Mr Chair just mentioned, Marcel is the Chair of this committee and had to go home today for personal reasons, to attend a funeral, and he wasn't able to be here today.

I understand your concern, as does Marcel, as to the need to look at how railway rights-of-way are assessed. That really seems to be the only problem. If we look at a few years ago, the way they were assessed as adjoining lands seemed to work better than having them assessed based on the same value across the length of the railroad.

I think as a government we're very supportive of keeping the rail lines that are there viable and encouraging those that have been abandoned over the years to be put back in use, particularly in rural Ontario, where we have a number of short-line railroads that have become very beneficial to our rural communities. We very much appreciate that.

I know in the discussions I've had with the railroad folks in the last number of months they've expressed

their concerns that some of their viability is at risk with the present structure of assessment on them. I'm quite hopeful that the final report on the assessment review will include some recommendations on how we should revamp the value system on the railroad rights-of-way to accommodate the need.

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I think you had it in your presentation: the question really would be, is there a compromise in your proposal, criteria we could use to make it fair and equitable both to the railroad and the municipalities through which it's going, without going back to the old way which just said the adjoining land use? Obviously, in some of the urban centres that adjoining land use scenario doesn't work very well either.

Mr Mason: Mr Hardeman, there is an interim solution. I guess our message is not a new message. We've been concerned about the taxation of our corridors for a number of years. When we made submissions previously, even to Anne Golden and her Fair Tax Commission, one of the concerns was that we needed some immediate relief to stop the escalation. I guess one of the last major areas to reassess in the province was Metro Toronto, where there was going to be a substantial tax increase of somewhere in the range of \$60 million.

That's the reason principally why the government decided that there was a concern for our industry. What has happened with the freeze is—we've looked at it—it's at least to stop that potential bleeding, which is how I would look at it, and it would have a major impact on the railway industry at large.

Our focus still is on our competitors and how they are treated for property taxes. On an interim basis, we're looking for some sort of stability, particularly to maintain the viability of our short lines. Some of them are OK and some of them aren't. No matter how well they produce, their economics, their property taxes, are having a major impact on those.

To answer your question, I think on an interim basis there could be a freeze put on them, but I think we're still looking at the end of the year to come to a long-term solution. There is a need to get rid of that uncompetitive comparison between our competitors, as well as for the importance of the province at large to keep a viable railway operation, both passenger and freight.

The Vice-Chair: We'll move on to the opposition.

Mr Patten: So tax credits for railway schools: is this what you're talking about today?

Mr Gauthier: That's why we talked about the education of people on railways.

Mr Patten: Well, you employ a lot of people. In relation to this particular issue, you're talking somewhere in the neighbourhood of about \$40 million a year, the property tax—

Mr Mason: On corridors. The property tax component is—

Mr Patten: The overall amount, when you add it all up together.

Mr Mason: It's about \$20 million.

Mr Patten: Oh, it's about \$20 million? Peanuts. If you got it back, would you give it to the parents who work for your organizations so they could send their kids to private school?

Mr Gauthier: No comment.

Mr Patten: No comment on this.

Mr Marchese: It's too political.

Mr Patten: Actually, it does afford me an opportunity to ask you a question. It's tangential. I won't mention which ones, you can probably guess, but some of the struggling railways here find it difficult, in dealing with CN and CP, negotiating some so-called non-profitable or viable tracks.

Are you in negotiations at the moment with several of these companies in terms of passing over some of those things that may not be viable for such a big company like CN or CP? Of course, you may not be able to talk about that.

Mr Gauthier: The association doesn't negotiate on behalf of any of its members.

Mr Patten: I understand that.

Mr Gauthier: Though our members are having constant commercial discussions in order to address what you're talking about, the need may be for infrastructure.

They have commercial discussions and most of the time they reach an agreement. Sometimes it is more difficult, but sometimes it goes well. An example recently is that CPR, one of our members, has transferred the Owen Sound division to the municipality of Orangeville. After months and months of discussions, they finally reached an agreement. But now the situation is that—and you correct me, Ron, if I'm wrong—the city will have to pay taxes to other municipalities that it goes through. If the taxation system is not corrected, the city of Orangeville won't be able to pay the taxes it might have to pay. You might want to correct this.

Mr Mason: That's one of the things that's evolved under the freeze program and creating the regional rates. Unfortunately, in that process, what you really don't know is that at the time they were shifting—basically, our tax load at the railway industry has not changed at large across the province, but there's been shifting between rail lines as well as between municipalities. Some municipalities are getting a lot more tax revenue out of our corridors and other ones are not. That's what part of the problem is.

Mr Patten: Would that have been similar—

The Vice-Chair: Thank you. Mr Marchese.

Mr Marchese: Have you met with the Minister of Finance?

Mr Gauthier: The association and members of the industry met with an assistant to the minister recently.

Mr Marchese: A policy assistant?

Mr Gauthier: I think so. Yes.

Mr Marchese: Maybe. And the Minister of Transportation?

Mr Gauthier: The Minister of Finance, to discuss these issues.

Mr Marchese: What about the Minister of Transportation?

Mr Gauthier: I would not be able to answer. Unfortunately, this is not my file. I'm very sorry for that.

Mr Marchese: Any idea?

Mr Mason: I'm not aware of that.

Mr Marchese: So in the past couple of years you must have tried to meet with the Minister of Finance or other ministers possibly connected to this issue.

Mr Gauthier: Certainly. One initiative that the Railway Association of Canada has organized this year—I'm looking at the names of the MPs and I'm not too sure. But recently we had a day on the Hill, and members of the association, the short lines, met with members of the Legislature to explain issues such as this one.

Mr Marchese: It's useful to meet with the members, because sometimes some members have some influence on some ministers. It's possible. Some of the time. But it's always better, of course, to get the ear of the minister. If you're not speaking to the person directly, you're just not going to know what he's thinking.

When you look at the list of all the provinces—seven—that exempt corridors from all property taxes, exempt corridors from provincial property taxes—Quebec grants a 75% tax credit—and so on down the list, I'm convinced the Minister of Finance of Ontario would be persuaded by your arguments that maybe, on the basis of smart growth, the new word these people use, it might make some sense. So I'm convinced that the Minister of Finance, given some time for him to sit down with you, would be convinced by the arguments, particularly given the new context of smart growth. What do you think?

Mr Gauthier: I hope the minister would be interested. We've met with his assistant. Since there is this standing committee that is looking at the budget, we thought this was a great initiative and we felt it was proper for us to come here and tell all members participating in this standing committee what we thought should be done. We have hopes that what was done by Mr Beaubien will be carried through.

Mr Marchese: We hope so too.

The Vice-Chair: Thank you for your presentation. We appreciate your coming forward and presenting to the committee.

1520

UPPER CANADA DISTRICT SCHOOL BOARD

The Vice-Chair: Our next delegation is from the Upper Canada District School Board: Art Buckland, trustee. Use whichever microphone you would like to sit in front of. There's a total of 20 minutes for your presentation and responses from the three caucuses. The time that's left over we'll divide equally between the three caucuses.

Mr Art Buckland: Thank you very much for the opportunity to appear today. I received the word yesterday afternoon, so I have presented some sketchy notes.

The format is that I would like to deal with some background, and then five arguments indicating opposition to this new proposal, Bill 45.

In terms of personal background, I am a graduate of Carleton, Ottawa U, OCE and Mohawk College. I'm a retired prof from a college. I've been a trustee on the original amalgamation boards, the county boards of 1969, and have over a total of 25 years' experience. I'm the past chair of the Upper Canada District School Board.

I would like to also give a little background to the Upper Canada school board. In 1997, with the amalgamation, it was four boards put together, eight different counties, a variety of cultures and so on. From 64 trustees, we were reduced to 11, including one native representative.

In 1997, I would say we suffered an educational earthquake. Money was taken from the English public system in order to organize language boards and the new religious boards. I see this as another blow to public education. We had Bill 104, we had 168, we had 74, all of these diminishing, some would say eliminating, potential for local governance and increasing control from a central area. And now Bill 45.

We were anxiously awaiting the GLGs, the general legislative grants. They were late. When they came, it was a shock with this announcement: funding, a tax credit, a voucher system, for the private system.

I'd like to look at the research for a moment under the pre-budget sessions. The word from Toronto was that "people have told us that this is what they wanted." My personal research shows two presentations to the pre-budget planning requesting private funding, not one of those—these are oral and written—requesting any kind of tax credit, whereas we had over a dozen presentations requesting improvement to public school funding. So could it be interpreted as anti-democratic? Unless there was perhaps selective listening or secret lobbying that we know nothing of that was reported.

The third argument against it would be to look at the college parallels. An excellent system of technical education for technicians and technologists was established in Ontario, and then private colleges—matchbox colleges, instant colleges—were given the same access to that kind of student funding. We've seen some of the tragic results, pretty tragic for students: I see "public" as having the connotation of service and "private" as having the connotation of profit. So we've seen colleges go bankrupt. We've seen students left without learning, left with loans, without having completed any formal academic credit and qualifications for diplomas. So I would warn you that this is a possibility with the private systems. We're going to see many more of these private systems opened now that there is an incentive to do that.

The next point I will look at is the response to the UN, which claimed discriminatory funding. Apparently the solution was, "Let's give something to everybody," a sort of egalitarian approach. Frankly, I object to losing any students and I objected when there was full funding to the Roman Catholic system. I objected when there was

the separation of the French students from one system of public education.

We have at the moment in Upper Canada a very successful operation with the Akwesasne and native students, the Mohawk students. The funding is there, there is the control through our own system and this is working very well. I think that the students who left our systems to go to other systems were very well served, and there's no evidence that they were not. However, there is a new system of control.

The next thing I would like to look at is the public education capability. This is education for all. In our own family—I've got four children, so four plus two—I think we have six success stories as a result of English public education that allowed social mobility. I'm concerned that's not going to be the case any longer.

We have lists that are two years long of people waiting to be tested and given a proper educational stream. In some cases, as a result of reduced funding, we have to say that we cannot serve these people. When I look at the decrease in service all over, no matter what group it is, whether it is those needing special education, those at the general level, those at the academic level, the OAC types, all of that education has decreased in quality. In addition, in our own board, we do not have sufficient funds to do the building that we need to do. We have old buildings and they need repair. When the amalgamation came, we lost about \$6 million, and we are looking at a \$3.5-million deficit for the coming year. We simply cannot carry on with the amount of funding that we presently have.

I think we have seen the best that education can be, and my worry is that it is in the past unless we restore government respect and lost funding to the English public system. I see Bill 45 as another disastrous blow to English public education. With the lack of research before the announcement, I see this as undemocratic. I am concerned that "private" means individual control, and not public service but private-serving. I think the response to the UN declaration was the wrong response.

In conclusion, I would say that English public education can serve all students. It has been serving all students and serving them very well. I would ask that that be the first consideration—not taking money from the English public to give to a private system. Thank you.

The Vice-Chair: We start with the government side, having two and a half minutes per caucus.

Mr McGuinty: I appreciate that labelling, Mr Chair.

Mr Hardeman: The government side would be this side, Mr Chair.

The Vice-Chair: I'm sorry, we started with the government last time. It's the official opposition. My apologies.

Mr McGuinty: He's thinking in the future, is he?

The Vice-Chair: No, I was looking at my notes.

Mr McGuinty: Thank you, Mr Chair. I want to recognize your prescience right upfront. I appreciate that.

Thank you, Mr Buckland, for your presentation. We've had the opportunity to hear from many presenters who touched on a number of damaging aspects of this

particular policy. You put your finger on something which I think is absolutely essential in terms of understanding how this came about. You made reference to the word "respect." It would seem to me that a government that respected public education, that was committed to public education, that understood the wonderful potential it held for all Ontarians would not do what it has been doing during the course of the past six years and would not do what it's doing through this very policy.

You also made reference to something about lists being two years long. What kind of lists are we talking about?

Mr Buckland: Particularly for special education kids. We do not have the resources to be able to test the children, analyze and suggest a program. So you're on a list, and it might be this year, it might be next year. At the moment, we cannot test any more children to be set in the special education area for next year.

Mr McGuinty: If I understand this correctly, until the test has been completed and the results are in, we can't make a determination as to how best to meet that child's learning needs, is that correct?

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Mr Buckland: That's the theory. We would take the student and undergo some programming as a result of the indications we had, but we could not say this is the program which this individual needs without the special-ist help of psychologists, speech pathologists and these people.

Mr McGuinty: Right. In the worst-case scenario—I'm trying to put this in as gentle a way as possible, but I made a good living off those kids as a criminal lawyer. Kids whose needs went unmet, particularly in the early years, too often end up inside the criminal justice system. We pay big dollars for people like me to defend them, the police to arrest them, the judge to try them, the prosecutor to prosecute them, the jailer to jail them, the social worker and so on and so on. That's a lot of money, but tragically it represents more than anything else a loss of human potential. It seem to me if we're going to assert ourselves on the international plane now, in a highly competitive world, we no longer enjoy the luxury of being able to allow kids to wait for two years before their learning needs can be properly met.

Mr Buckland: There are three things that come to mind on that. Just in passing, your father made some money off me. He was a professor of mine, albeit an excellent one.

One is that we are really undergoing a change from, I would say, the Hall-Dennis era. That emphasis was, "Let's develop the potential of the individual and then work at establishing a useful benefit to society." Now I think we've turned it over. Order is the thing and you must respond to the needs of society without the emphasis on development of individual potential.

As a trustee, my job is to promote program, to enhance it, to develop it, to introduce it. We would love to have kindergarten full-time. We've had to cut our kindergarten programs. We all know the emphasis on early education.

As you're pointing out, if we can spot the problem, diagnose it and work on it early, it's much more effective.

Mr Marchese: Many people are saying that the cuts to the educational system have seriously undermined the system to the point where it's almost irreparable. The Premier and Madame Ecker said about a year or so ago—more or less a year ago—that they could not support the extension of public dollars for private schools. Ecker said it would take \$300 million and the Premier said it would take \$500 million out of the public system.

That's what a tax credit does. Money comes out of the system somehow. It's taken out of the system or through general revenues, or both, because if kids leave the public system, money is not given to the educational system. To give to this other sector, in part, it has to come out of general revenues. But money is taken out of the system one way or the other, and I believe both the Premier and the minister were correct then. Do you think the system can cope with any more cuts, let alone the multitude of changes they've introduced in the last six years? Do you think the system can cope well with these cuts and these tremendous changes to the system?

Mr Buckland: That's a difficult question. In 1997, when this huge reorganization of our board was established, I said that I would continue, run for election and attempt to defend the programs which our little board, Stormont-Dundas-Glengarry, had. I've seen the programs being ripped apart and eliminated and curtailed. So it has at least been, on the positive side, I suppose, an existential struggle and, at the worst, heartbreaking to see these things happening. Now we're told that you could have another increase in student enrolment if you were to work with extracurricular in some way.

I don't think the system has been destroyed or received irreparable harm. We are coping. We're still turning out quality graduates. Some of you will be at the high school ceremonies this week. But it is much more difficult. Morale is not too high in the high school teaching area that I know of. So I am very disappointed that this is continuing.

Mr Marchese: Many students, of course, are not coping well with the new curriculum. Teachers were given very little support. Students who are not coping well with the new curriculum have less support. We are likely to see many more students dropping out of the educational system because of what they have done. Do you see that? I certainly see it, and parents in Toronto tell me that is what is happening. Do you see that?

Mr Buckland: I see students as the most flexible part of the system. I find teachers are having a harder time with the new system. I know that parents are doing more. It was, as I said, an earthquake. It was too much all at once. I think, moved in a little more slowly, it would have been more beneficial, but it is extremely difficult. This is something we do not need and I would please ask you not to include Bill 45 in the way you have it.

The Vice-Chair: We'll move on to Mr Hardeman.

Mr Hardeman: Thank you, Mr Buckland, for your presentation. Most of all, I thank you for your confidence

in the system that you are responsible for, for saying that you are turning out quality education in your system. My daughter is in that system and I appreciate people who can stand up and say that they are there because they want to be there and that they are getting, in my opinion, quality education.

This is no reflection on your presentation, sir, but we've heard a number of presenters, up to and including the chair of the Ottawa-Carleton board, talking about the total funding for education as it relates to what was being spent on education in Ontario in 1995 and what is being spent on education today in the province. There seem to be varying numbers floating around. We had a report from legislative research that said there was an increase in funding from 1995 to 2000, and yet we now hear people coming forward and suggesting \$2.3 billion a year less. I wonder, and I asked one presenter this morning where those numbers would have come from. I know it's going to be difficult for you to answer that question. I'd like, on a point of order, Mr Chair, to ask legislative research where the numbers came from that were presented to us, based on total education spending in Ontario.

The Vice-Chair: OK. I think you can follow up on that request.

Mr Larry Johnston: Yes. Do you wish this information in writing for tomorrow? I could make an oral explanation today. I know you're going into clause-by-clause tomorrow.

Mr Hardeman: If you could just make a quick oral presentation, I would very much appreciate a written report on that tomorrow for our clause-by-clause deliberations.

Mr Johnston: I'm reluctant to take up the presenter's and your caucus's time. Perhaps I could do this at the end of the day?

Mr Hardeman: Yes, that would be fine with me.

The Vice-Chair: Any other questions for the presenter?

Mr O'Toole: Yes, if I may. Thank you for your 25 years of service as a trustee. I was a trustee for a couple of terms as well and it's an important role. I see that in the independent schools as well, the trustees, the board of directors and the volunteers.

You would know that the education governance model that you spoke of when this earthquake occurred was started by—it's too bad Mr Marchese is not here—what was called the Sweeney commission. In fact, a royal commission was started by them.

There was a statement about those two things. There were some serious things going on in education. It was an explosion. I think the explosion occurred before, about 1994-95. In fact, the reaction to it was putting things back in some sort of order. Parents and students were getting some sense that there were standards, some sense that there was some accountability.

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There are those—and you would know this—who don't want this system specifically to work that well.

Some of them may have been demonstrating earlier. They are convinced that six out of eight is the bottom line. They won't provide extracurricular unless we go to six out of eight. You could put another \$500 million in and they're still not—you have to want the system to work.

I would just put on the record, thank you for your service. There are a lot of changes—

The Vice-Chair: Thank you, Mr O'Toole, and thank you, Mr Buckland, for your presentation today. We appreciate you coming forward.

CERTIFIED GENERAL ACCOUNTANTS TAX RESEARCH CENTRE

The Vice-Chair: Our next presentation is from the Certified General Accountants Tax Research Centre, Vern Krishna, executive director. There is a total of 20 minutes for your presentation and responses. Whatever you don't use up in the 20 minutes in your presentation we'll divide between the three caucuses for questions and comments.

Mr Vern Krishna: That's more than adequate time. My name is Vern Krishna. I'm appearing on behalf of the Certified General Accountants Tax Research Centre. I'm a professor of income tax law at the University of Ottawa and a professional accountant. I am not going to talk about education. I take it you'll still want to hear me.

The Vice-Chair: Absolutely.

Mr Krishna: Thank you. I want to talk generally about the budget and the income tax measures, and I'll touch upon only three or four.

A budget is a compromise between competing values and interests and it is a difficult document to contemplate or draft at any time, be it at the municipal, provincial or federal level. The essential role of a budget is to ensure balance, being responsive to maintaining a healthy economy for the benefit of all so that we can provide the social benefits to those sectors of society that most need it. This requires a balancing between debt reduction, tax reduction and social spending. We at the tax research centre are extremely encouraged by the budget that the provincial government tabled recently and we are encouraged that the government has been responsive to professional input and consulted extensively in many matters.

I want to touch today briefly upon four items: personal taxes, corporate taxes, professional corporations and certain tax collection procedures. The personal tax reduction system now is well known and we have seen rates decline. That is encouraging and it is competitive. There are, however, a few matters that require a little bit more attention and fine-tuning over the longer term.

We believe that the threshold level for the first level surtax is still too low and should be raised. Secondly, we believe that by raising it to \$100,000 you would be affecting approximately 4% of Ontario's taxpayers and the revenue loss would not be as significant as might be expected. More importantly, even if that threshold is not

raised, in the interests of fairness, the threshold level itself should be indexed, because without indexation, inflation in effect becomes an indirect and surrogate measure for tax increases.

On the corporate tax side, we are equally encouraged by the budget. Corporate capital is more mobile than personal capital. Although the budget papers and documents contain various tax rate comparisons, we suggest that tax rate comparisons are not always as meaningful in substance as they are sometimes made out to be in the media. What we are really concerned about is the tax burden on corporations and not simply tax rates. The tax burden is a function of rate and the taxable base, so to merely say that one country or one province has a rate of, let us say, 30%, and another country or province has a rate of 35%, per se, says very little, because it depends on the taxable base to which that rate is applied. At the end of the day, both corporations and individuals are concerned only with one question, "What is the amount of tax that comes out of your pocket?" and not the rate that is applied. Stated another way, "How much money do you have left in your pocket at the end of the day, regardless of whether the rate is high or low?" Generally speaking, we applaud the direction of the provincial budget and the reduction in corporate tax rates contemplated, now and on to the year 2005. These will make the province more competitive, and that is imperative.

I want to touch briefly on another very important initiative that the government has introduced, which is in the final stages of being passed into law; that is, the amendments to the Business Corporations Act that will allow professionals to incorporate. This is a laudable piece of legislation and long overdue. It is fair tax policy. It levels the playing field. It removes discrimination that has existed in our laws for a long time, where certain members of the professions have not been able to incorporate and others have been able to incorporate. If anything, we would've gone one step further and removed any restrictions in that legislation on the participation of family members in such corporations. Architects can do it. Engineers can do it. There's no reason why doctors, dentists, lawyers and accountants should not be able to do the same.

Finally, I would like to touch briefly on one matter of administration in the provincial tax rules that needs attention and that has a very unfortunate effect on those who can least afford to pay, and that is the rule that when a taxpayer in Ontario is assessed, he or she must pay the burden of tax and pay the tax due while that assessment is under challenge and before it has been judicially adjudicated. That is not so under the federal system. By its very nature, prepayment of the tax before the tax has been judicially settled places a very heavy burden on those who can least afford that burden and who have the least amount of cash and resources to come up with those funds.

We urge you to consider, at some appropriate time, bringing the provincial rules into line with the federal rules and allowing the taxpayer to defer payment of tax

until such time as the matter has been judicially determined. The province would not lose anything from this procedure because, under these deferral procedures, the province continues to collect its interest on the outstanding amount, and the full amount is payable if the taxpayer loses. So there's no loss of revenue to the province in the long run—it gets the money and the interest if it wins—and it's fairer to the taxpayers, particularly those who are most vulnerable.

In conclusion, the budget, which had to deal with difficult issues of allocation of resources between reductions, expenditures and tax rates, has reached a fair and suitable compromise. There is no perfect budget. This budget, though, pulls in the right direction and should help the economy of the province and, through that, the people of this province. We thank you for the opportunity of appearing before you and are grateful for this.

The Vice-Chair: We appreciate your coming and making your presentation. We have approximately three minutes left per caucus. I'm going to be very careful this time not to get insulting or complimenting somebody I shouldn't. The NDP party caucus, Mr Marchese.

Mr Marchese: You're always complimenting the NDP, Doug.

The Vice-Chair: I'm just being very careful here. I got in trouble last time.

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Mr Marchese: Mr Krishna, I only have one question. You want Ontario to be competitive?

Mr Krishna: Yes.

Mr Marchese: Would you say the US is very competitive?

Mr Krishna: Yes.

Mr Marchese: I think you'll agree that the Americans—I'm not sure you'll agree, but 40 million American people have no health insurance whatsoever and 40 million other American people have inadequate medical insurance. How competitive do you want us to be in that context?

Mr Krishna: That's a very difficult question to answer in the time limit we have here. But raising the health care bogeyman is not the solution to all these problems. It is an important social program and one that needs to be properly supported. Of course, it must be supported through the tax system. But to make simple comparisons between two very divergent and different countries with very different structures solely on the one criterion of health is very difficult to respond to in the time that is available.

Mr Marchese: Let me give you another. Poverty is another criterion. I'm not sure you would label that as another simple comparison or bogeyman kind of issue. The Americans have the biggest poverty rate in the industrialized world, the most competitive country but the highest poverty levels. How competitive do you want us to be?

Mr Krishna: The poverty levels in the United States are a function of the distribution of wealth between the various sectors of society. When I was talking about

creating a competitive environment and economy, it is the most vulnerable sectors of society that are usually hurt when an economy is not competitive and does not generate growth and jobs. It is generally those who are at the bottom rungs of the socio-economic ladder who suffer the most when an economy does not create the necessary growth.

Mr Marchese: How is it that in this economy of ours in Ontario, where we're presumably doing so very well—many argue it is because of the US; Tories argue it is because of their tax cuts—that this competitive environment isn't producing the kind of distributive wealth for the majority of people? Fifty percent of the people in our labour market earn less than 30,000 bucks. There seems to be a gap in this wonderful competitive world of ours, a growing gap between those who've got and those who do not. So you understand my worry.

Mr Krishna: I understand your concerns, Mr Marchese.

The Vice-Chair: Mr O'Toole.

Mr O'Toole: Thank you for, I'd say, a very balanced approach to what the government is trying to do. Of course, the fundamental thing for me as an average citizen and assistant to the Minister of Finance is basically—the equation starts with, you have to have a strong economy before you can have the quality-of-life issues addressed properly. Then you have to have equity of distribution. We all share in the social infrastructure in some way by having a strong economy. That's how it starts. The more people can share in that wealth and the economy, the better.

I just want to reinforce a few of the remarks you made for the record. It is very important that we have balanced the budget for the third straight time, an absolute record. It's never been done in Ontario in over 100 years. That discipline we've taken on not to go out of a balance again is good for all of us. As Mr Marchese knows, you can't spend your way out of problems. They doubled the debt in their term. He doesn't want to hear about it; I know that.

You addressed debt reduction as well: the largest debt repayment plan, \$3 billion. You're right, it's that balance of taking that surplus and paying down the debt. Eventually the more debt you have—you know; you're an economist and a law professor. We are spending about \$9 billion a year to pay the interest on that debt. That's \$9 billion that's not going to address social demands. Then the whole thing is, what we're actually trying to do in the tax reduction aspect is that those people, the lower-income people, as Mr Marchese said—we've got 73,000 more people who don't pay income tax at all. By looking at those surtaxes and thresholds, hard-working, low-income people won't be paying tax at all. In fact, it costs more for the federal government to collect that tax from those people making \$25,000 than they get.

Those theories, those quite remarkably new ways of looking at how government works—I think, at the end of the day, we are trying to redistribute wealth to the greater good for the greater number. But you're right: it all

comes back to the term you used—Mr Marchese keyed in on it—“competitiveness,” but not in the abrasive sense Mr Marchese suggested. We want investment. We want the jobs. We want the economy, as I’ve just described, for the strong quality of life. And if we have higher capital tax than New York or Quebec, then people will just move their capital. As you said, it’s very transportable.

I appreciate your advice, academically and in a practical sense as well. It certainly appears that this government is listening to people like you who are professors and who are accountants and capable—obviously not in any political sense—as a teacher. If you’d like to respond in just a general sense. I appreciate your presentation. We’ve heard a lot about education.

The Vice-Chair: You really haven’t left any time, John. You’ve been three and a half minutes. Mr Lalonde.

Mr Jean-Marc Lalonde (Glengarry-Prescott-Russell): Thank you, Professor, for taking the time to come over. Your expertise in taxation, in the main, is definitely interesting to hear.

Part of my question was addressed by Mr Marchese, but I’d just like to ask about some of the points I have here. The corporate tax is going to be approximately 25% lower than our neighbours to the south, the Americans. Don’t you think, looking at the results we see in the papers all the time, the profits those companies are making, that we’ve gone a little too far by having these corporate taxes reduced, which are going to be around 25% lower than the Americans? Today we are still saying that Ontario is the number one province in Canada, and Canada is the place to live in the world. But I really feel we could invest a little bit more in education and also in health, especially today when we are talking mostly about education on this bill.

What is your feeling about the corporate tax 25% lower in Canada than the Americans? I know we are probably attracting more industry, but the thing that concerns me at the present time is the way the Americans are doing it. They invested over \$30 billion to establish the three major car manufacturers in Mexico, and at the present time we are lowering our corporate tax by approximately 25%.

Mr Krishna: If I may, very briefly, the point I was trying to make is that rate comparisons of this 25% differential, etc, can sometimes be misleading and dangerous, because the Americans generally have far more generous write-offs and deductions in the calculation of their taxable base than we provide and, therefore, the spread of the ultimate tax burden they pay and we pay is not as wide as you might infer from the rate differential.

Mr Lalonde: OK, my second question—

The Vice-Chair: You have to be very quick. You have about 30 seconds.

Mr Lalonde: Ever since this government has been in place, I’ve been getting complaints that Ontarians became losers by having a fixed percentage of their income instead of a percentage of the federal personal income tax as in the past. The feds have reduced our income tax, and

we used to be a percentage of the fed income tax. Today, Ontarians have a fixed percentage of their income and Ontarians became losers because of that.

The Vice-Chair: Quick response?

Mr Krishna: I think you have gained greater provincial independence by removing yourself from being shackled to a different government which may or may not coincide with your own policies at any particular time.

The Vice-Chair: Thank you very much for your presentation. We appreciate your coming forward.

1600

ASSOCIATION DES ENSEIGNANTES ET DES ENSEIGNANTS FRANCO-ONTARIENS

The Vice-Chair: I now call on Lise Boudreau, if she would come forward for her presentation. As you start, please state your name and your organization. You have 20 minutes in total. After your presentation we’ll divide up the remaining time among the three caucuses. You’re at liberty to go ahead.

M^{me} Lise Routhier-Boudreau : Merci. Ma présentation sera en français. Je suis Lise Routhier-Boudreau, la présidente de l’Association des enseignantes et des enseignants franco-ontariens. Je suis aussi accompagnée aujourd’hui de M. Bernard Éthier, notre directeur général adjoint. Je veux d’abord vous remercier de nous recevoir aujourd’hui.

Notre association représente plus de 7 500 enseignantes et enseignants qui oeuvrent dans les écoles de langue française de la province de l’Ontario, tant au niveau élémentaire que secondaire dans les systèmes catholique et public.

Nous avons été avisés seulement hier qu’on nous recevait ici aujourd’hui, alors vous allez comprendre que nous n’avons pas de document écrit ici en ce moment à vous remettre.

Nous déplorons aussi le fait que le gouvernement choisisse de mettre en place ce processus de façon aussi hâtive puisque c’est une question, à notre avis, qui est fondamentale et des plus importantes.

Comme association nous avons toujours ardemment défendu un système d’éducation public de qualité qui est accessible à toutes et à tous. Depuis l’arrivée de ce gouvernement, le système d’éducation a dû subir des compressions budgétaires importantes qui ont été lourdes de conséquences. Dans un tel contexte, nous nous opposons donc fortement à l’utilisation de fonds publics pour offrir des crédits d’impôt à celles et à ceux qui choisissent de fréquenter des institutions scolaires privées.

Cette nouvelle politique que le gouvernement propose représente un changement d’orientation majeur quant aux politiques en matière d’éducation. À notre avis, le gouvernement n’a pas le mandat pour mettre en place une telle politique. Il faut se souvenir aussi que même le premier ministre Harris, en réaction à la demande des

Nations Unies, a déclaré que le financement des écoles privées pourrait fragmenter notre système d'éducation et en minerait même les objectifs.

Nous croyons que le gouvernement devrait plutôt réaffirmer son appui au système public d'éducation, puisqu'un système public d'éducation qui est fort est le signe d'une société qui prospère qui travaille à l'amélioration des conditions de vie des citoyennes et des citoyens et de leurs enfants.

La mise en place des crédits d'impôt soustraira immédiatement 300 \$ millions de notre système d'éducation qui est déjà grandement sous-financé.

Les effets à moyen et à long termes de ces changements ne sont pas encore tous connus. Le gouvernement a quand même choisi d'implanter ce changement sans qu'aucune recherche sur le sujet n'ait été faite. Même le ministre des Finances de l'Ontario a admis que ni son ministère, ni le gouvernement n'avait entrepris de recherche sur les effets de cette mesure sur le système d'éducation financé par les deniers publics.

Encore une fois, le gouvernement veut implanter une mesure lourde de conséquences sans en avoir étudié les impacts.

Nous savons cependant que chaque étudiante et chaque étudiant qui quitte le système public représente une perte de revenu de 7 000 \$ pour les conseils scolaires et une économie nette pour le gouvernement. Par contre les conseils, eux, ne peuvent pas réduire leurs coûts d'exploitations malgré ces pertes qui, selon certaines prévisions, pourraient s'élever à près de 2 \$ milliards sur cinq ans.

La somme de 300 \$ millions que représentent les crédits d'impôt pour la première année équivaut à plus de 40 % de l'ensemble des subventions remises aux 12 conseils scolaires de langue française. C'est aussi 10 fois plus que l'augmentation totale remise à ces mêmes 12 conseils scolaires de langue française pour l'année scolaire 2001-2002, une somme qui se chiffre à environ 27 \$ millions.

Cette somme permettrait d'embaucher près de 5 900 enseignantes et enseignants de plus en province, ce qui réduirait la taille des classes au palier élémentaire de 24,5 à 22 élèves.

Ces crédits d'impôt vont à notre avis favoriser les plus riches et les mieux nantis de notre société.

De plus, les écoles privées ne sont pas assujetties aux lois et aux règlements de la province. Elles n'ont pas à respecter la Loi sur l'éducation; elles n'ont pas besoin d'avoir des enseignantes et des enseignants qualifiés qui doivent suivre un curriculum autorisé; elles n'ont pas l'obligation de subir l'ensemble des tests provinciaux et n'ont pas l'obligation de se conformer aux exigences administratives du gouvernement. De plus, elles peuvent choisir leurs élèves et éliminer l'obligation d'offrir des services aux élèves qui ont des besoins particuliers.

L'AEFO croit fermement à un système d'éducation public de qualité qui est accessible à toutes et à tous. Si le gouvernement croit qu'il y a un besoin de remettre en question ce système, il doit avoir le courage de

déclencher des élections. Il doit susciter un réel débat sur la question. C'est aux électeurs et aux électrices de se prononcer sur une question aussi fondamentale.

Ce sujet mérite l'équivalent d'un débat constitutionnel au niveau provincial. C'est la seule façon démocratique d'en traiter.

Je suis confiante, par contre, mesdames et messieurs les membres de ce comité, que malgré le peu de temps qui vous est accordé pour l'étude de ce dossier, vous saurez reconnaître l'importance des enjeux pour notre système d'éducation public en Ontario et que vous saurez recommander l'abolition des crédits d'impôt prévus au projet de loi 45.

Il nous fera plaisir de répondre à vos questions si vous en avez.

The Vice-Chair: Thank you very much. We have about three minutes, maybe a little more, for each of the caucuses, starting with the government side. We haven't heard from Mr Guzzo, but maybe he doesn't—

Mr O'Toole: I'd just want to—you'd recognize that this government actually funded the French-language portion of the school boards. I think that's a statement of our support for the French-language component of education. I guess there are those who say there wasn't much research for that, but it was discussed for many years, even when I was a school trustee.

I'm going to ask you one question, and perhaps my peers. Do you think the French-language system discriminates when it doesn't allow an English family to attend a French school? Don't you think that would be a more appropriate way to educate or immerse children, young people, in the French language?

M^{me} Routhier-Boudreau : D'abord, j'aimerais faire un commentaire sur le premier commentaire. Oui, effectivement, nous avons reconnu très ouvertement l'appréciation qu'on avait pour la mise en place de nos conseils scolaires francophones, même si nous étions la dernière province à l'obtenir et il était grand temps. Malheureusement, il est très difficile de gérer de façon adéquate des coquilles vides. Alors, il faut s'assurer d'avoir les ressources nécessaires pour bien atteindre nos objectifs.

Face à l'accueil d'enfants, d'élèves qui ne parlent pas le français, avec des programmes qui sont adéquats, il est toujours possible à ce moment-là d'offrir à ces élèves-là des services. Malheureusement, il faut s'assurer avant d'accueillir des élèves qui ne parlent pas le français d'être en mesure de leur donner des services dont ils ont besoin pour acheminer. Ça présentement, avec les fonds qui nous sont accordés, n'est pas encore possible de réaliser.

1610

M. Bernard Éthier : Il faut aussi réaliser que le système des écoles de langue française a été créé exactement pour rencontrer les besoins de la population de langue française. Pour des personnes qui ne sont pas des ayant droit selon la Charte des droits et libertés, il existe des services en français soit langue seconde dans des écoles de langue anglaise ou des services d'immersion. Les écoles de langue française ont une mission particulière qui est de voir à l'éducation des élèves de

langue française et des ayant droit. Par ce système-là, il y a de l'admission de certains élèves dont un ou deux par an sont de langue anglaise. Il y a des critères d'admission, mais parce qu'il y a des critères d'admission dans un système, on ne doit pas dire et on ne peut pas dire qu'il s'agit de discrimination.

Mr O'Toole: Is that discriminatory?

Mr Guzzo: Yes, but you've got permissible discrimination, just like the charter allows. But it is.

The Vice-Chair: Ok, we're essentially out of time. We'll move on to the official opposition.

M. McGuinty: Merci bien pour votre présentation. Pourriez-vous faire des commentaires sur l'effet que ce projet de loi aura sur le morale de nos enseignants et enseignantes? Il me semble que M. Harris invite maintenant les parents à abandonner le système public et à inscrire leurs enfants dans des écoles privées. Je connais bien, en tant que parent et en tant que mari d'une enseignante, l'effet des politiques de M. Harris et je me demande maintenant quel effet cette politique va avoir sur nos enseignants et enseignantes. Mais avant de vous laisser répondre, je veux dire aussi que pour moi la chose la plus importante dans l'école n'est pas l'ordinateur ou les crayons ou les pupitres; pour moi c'est d'avoir devant la classe une enseignante ou un enseignant qui se sent valorisé et qui est enthousiaste envers ses étudiantes et étudiants. Alors, quel effet cette politique-là va-t-elle avoir sur leur morale?

M^{me} Routhier-Boudreau: Il est évident que les changements qui ont été imposés dans notre système d'éducation dans un rythme tout à fait accéléré ont fait en sorte que nous nous retrouvons aujourd'hui avec un personnel enseignant qui est tout à fait à bout de souffle et démoralisé. Ce sont des critiques répétées que nous avons ciblées à la profession enseignante. On fait face présentement à deux facultés d'éducation de langue française qui ne peuvent pas combler les places élèves qu'ils ont car nos jeunes ne veulent pas se diriger vers une profession qui est aussi peu valorisée.

Nous avons aussi des données qui démontrent que l'utilisation des congés de maladie prolongés est sans précédent chez nos enseignantes et nos enseignants. Alors on voit que les conséquences ont été désastreuses, et c'est évident qu'un personnel qui est démotivé ne présente pas des conditions favorables d'apprentissage pour nos élèves. Savoir qu'on encourage les gens, parce que des crédits d'impôt ont l'effet aussi d'encourager les gens à fréquenter des institutions scolaires privées, c'est clairement à notre avis un manque de confiance que le gouvernement témoigne envers la profession et envers le système d'éducation.

The Vice-Chair: Mr Marchese.

M. Marchese: Merci, M^{me} Boudreau et M. Éthier. Vous avez dit qu'au lieu d'imposer un crédit d'impôt, ils feraient mieux de réaffirmer leur appui pour le système public. Ils nous disent chaque jour qu'ils sont défenseurs du système public, toujours et chaque jour. M^{me} Ecker nous dit qu'elle fait des investissements énormes pour le système public. Votre expérience est un peu ça, je pense. Non?

M^{me} Routhier-Boudreau: Effectivement, la vie quotidienne de nos enseignantes et de nos enseignants auprès de nos élèves sont très différente de ce qu'on voit annoncé un peu partout dans les médias et dans les journaux. Le gouvernement continue semaine après semaine de créer toutes sortes de processus qui sont énormément coûteux et qui à notre avis ne répondent aucunement aux besoins prioritaires qui sont dans nos écoles présentement. Les ressources: nous avons des exemples concrets de manques de ressources importants. Nos élèves n'ont même pas les outils de base quand on parle de manuels scolaires.

M. Marchese: Ce n'est pas possible.

M^{me} Routhier-Boudreau: Alors, il est évident que les ressources sont manquantes. Nous n'avons plus de direction d'école, par exemple, pour chacune de nos écoles; on doit partager toutes les ressources; les classes sont nombreuses; de plus en plus de classes à cours multiples, des tendances qui vont en accélérant plutôt qu'en diminuant.

M. Marchese: Merci et bonne chance—à nous tous.

The Vice-Chair: Thank you very much for your presentation. We appreciate your coming forward to present to the committee.

There was a question asked earlier of research by Mr Hardeman. Maybe we can have that presented at this time—I think it's reasonably short—and we'll go from there.

Mr Johnston: I'll try to be short, Mr Chair.

The number has been put to the committee several times that the actual spending of the government on education for 2001-02 is \$2.3 billion less, in 1995 dollars. The source of that figure seems to be a document that was released by the Canadian Centre for Policy Alternatives last Thursday, a paper prepared for the Ontario alternative budget by Hugh Mackenzie.

I supplied numbers to the committee last Thursday as well for the same period that showed an overall increase of spending during the same period of almost \$1 billion. This is despite the fact that Mr Mackenzie and I both are relying on the same sources. There are two differences here which need to be taken into account: my numbers of nominal; they are not adjusted for inflation. The CCPA numbers have reportedly been adjusted for inflation.

Secondly, and I think most importantly, Mr Mackenzie's calculations add up school board operating expenses and school board capital expenses to arrive at a 1995 figure of \$13.477 billion. However, the mistake here is to equate school board expenditures with school board funding. School boards have non-ministry sources of funding: education and development charges, tuition fees, transfers from the reserves etc. There is in the figures that Mr Mackenzie used a \$591 million net other revenue amount that should have been deducted from that \$13.477 billion. If you deduct that \$591 million, you arrive at \$12.886 billion, which is essentially what the government has claimed it spent in 1995: \$12.9 billion.

Because Mr Mackenzie is compounding the expenses with inflation, what your starting point is in 1995 makes a significant difference, and this \$591 million makes a

big difference. I don't know which inflation numbers Mr Mackenzie is using. His calculation of the amount that should be spent this year in 1995 dollars was 16.47%, the compounded figure. If you apply the 16.47% to the \$12.9 billion the Ontario government indicates it spent, that means the shortfall, adjusting for inflation, is more in the area of \$1.1 billion than the \$2.3 billion that is reported. But again, that's assuming I know Mr Mackenzie's inflation numbers on the basis of that calculation. The important thing is to realize that school board spending from non-ministry sources needs to be factored out of these figures.

The Vice-Chair: This will be in writing tomorrow for all the committee members?

Mr Johnston: Yes.

The Vice-Chair: If you need further clarification, this gives you a little bit of insight as to where those two figures came from.

The committee now stands adjourned until 10 am tomorrow in room 151 at Queen's Park.

There are two taxis waiting for Mr Hardeman, Mr O'Toole, Mr Marchese and myself. There's probably room if anyone else wants to go to the airport at this time.

The committee adjourned at 1622.

ERRATUM

No.	Page	Column	Line(s)	Should read:
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Mr Rosario Marchese (Trinity-Spadina ND)
Mr Dalton McGuinty (Ottawa South / -Sud L)
Mr Richard Patten (Ottawa Centre / -Centre L)

Also taking part / Autres participants et participantes

Mr Jean-Marc Lalonde (Glengarry-Prescott-Russell L)

Clerk / Greffière

Ms Susan Sourial

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Mr Larry Johnston, research officer,
Research and Information Services

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Official Report of Debates (Hansard)

Wednesday 20 June 2001

Journal des débats (Hansard)

Mercredi 20 juin 2001

Standing committee on finance and economic affairs

Responsible Choices for Growth
and Accountability Act
(2001 Budget), 2001

Comité permanent des finances et des affaires économiques

Loi de 2001
sur des choix réfléchis
favorisant la croissance
et la responsabilisation
(budget de 2001)

Chair: Marcel Beaubien
Clerk: Susan Sourial

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LEGISLATIVE ASSEMBLY OF ONTARIO

STANDING COMMITTEE ON
FINANCE AND ECONOMIC AFFAIRS

Wednesday 20 June 2001

*The committee met at 1000 in room 151.*RESPONSIBLE CHOICES FOR GROWTH
AND ACCOUNTABILITY ACT
(2001 BUDGET), 2001LOI DE 2001
SUR DES CHOIX RÉFLÉCHIS
FAVORISANT LA CROISSANCE
ET LA RESPONSABILISATION
(BUDGET DE 2001)

Consideration of Bill 45, An Act to implement measures contained in the 2001 Budget and to amend various statutes / Projet de loi 45, Loi mettant en oeuvre des mesures mentionnées dans le budget de 2001 et modifiant diverses lois.

The Chair (Mr Marcel Beaubien): It being 10 o'clock in the morning, I'd like to bring the committee to order. The committee is here to consider Bill 45, An Act to implement measures contained in the 2001 Budget and to amend various statutes. We are here for clause-by-clause consideration. I would ask the members whether there are any questions and comments before we start.

Mr Gerry Phillips (Scarborough-Agincourt): I should've asked the clerk this earlier. Have we had a response back on your two letters? If I might just comment on that, we are being asked to make a huge decision here and I think most people who look at this would say that it's fundamental education. We heard from the Fraser Institute and the National Citizens' Coalition last week and they said this is the most major move in education, one said in North America and the other said in the last 100 years.

We have from the government a brief which they presented two years ago to the United Nations—I think it is 82 pages long—arguing against doing this in the strongest possible language. They made some very, very powerful arguments against funding for private schools and private religious schools. Now, two years later, we are being asked to approve a direction that's 180 degrees in the other direction. I find that unusual, and I would urge the public to read the language the government used in its brief arguing against this approach, against extending funding to private schools, because it used language such as will “undermine the ability of public

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

COMITÉ PERMANENT DES FINANCES
ET DES AFFAIRES ÉCONOMIQUES

Mercredi 20 juin 2001

schools to build social cohesion, tolerance and understanding.”

It goes on: “would result in the disruption and fragmentation of education in Ontario.... The benefits which Ontario receives from a public education system which promotes the values of pluralism, multiculturalism and understanding, would be diminished ... would compound the problems of religious coercion and ostracism ... would undermine the goal of universal access to education ... would have negative fiscal impacts as there would be a marked increase in the duplication of services and capital costs to fund the religious schools ...

“If the state ... were required to fund private religious schools, ... a detrimental impact on the public schools, and hence the fostering of a tolerant, multicultural, non-discriminatory society ... This position of the province of Ontario is supported by expert evidence in reports and affidavit form as cited below.”

They go on with the research. “One of the strengths of a public system of education in a province and a country which are committed to a policy of multiculturalism is that it provides a venue where people of all colours, races, national and ethnic origins and religions interact and try to come to terms with one another's differences. Such a process is not without its problems and frictions, but the fact that the public school must deal with the varied needs and interests of the total population makes it a valuable institution for the creation of better understanding among the various groups. In this way, the public schools build social cohesion, tolerance and understanding....

“Extending public school funding rights to private religious schools will undermine the ability of public schools to build social cohesion, tolerance and understanding.”

We have page after page of strong language arguing against this approach. Consequently, Mr Chair, as you know, this committee sent a letter to the cabinet—to Mr Flaherty, whose bill this is—requesting that the government forward the research that was used to reach the decision to institute the tax credit program. You're telling me today we have not heard back yet. Where is the evidence? You submitted the evidence to argue against doing this; now where is the evidence that led you to reach this conclusion?

Furthermore, on a very straightforward request, we asked for the documentation indicating the basis and

nature of the calculation used to determine the cost of the equity in education tax credit of \$300 million. Surely that one is absolutely straightforward. It's in the budget. There's a \$300-million cost attached to this. Surely the public is owed an explanation of that.

Interjection.

Mr Phillips: This may be it arriving right now. Consequently, I would like to see that. Barring that, I would like some explanation of the basis on which we won't see it. Maybe this is it arriving now. I hope it is.

Mr Rosario Marchese (Trinity-Spadina): No, it isn't, Gerry. Continue.

The Chair: No, it's not.

Mr Phillips: That's not it?

The Chair: That's research material.

Mr Phillips: We have one of the parliamentary assistants here.

Mr Marchese: Who's that?

Mr Phillips: I believe it is Mr Hardeman, who can perhaps give us an explanation of why we don't have that material.

The Chair: Go ahead, Mr Hardeman.

Mr Ernie Hardeman (Oxford): I have no comment. Obviously, the Chair has written the minister. We would be expecting the minister deal with that.

Mr Phillips: No, that's not it. You are the parliamentary assistant, Mr Hardeman. Why do we not have the information?

Mr Hardeman: I think you've made a reasonable argument why you think we should have that information. I'm hoping the minister will get us that information. The Chair of the committee has written the minister for those items. If he has that information, I'm sure he will be forwarding it. I have no further information to—

Mr Phillips: Could you go out and get on the phone to the minister and find out whether we're going to get this or not?

Mr Hardeman: I would suggest that we get on with doing the job that we're supposed to do and Mr Phillips can do the job that he's supposed to do. Thank you very much.

The Chair: Any further comments?

Mr Marchese: I'll speak to that section which deals with the issue generally. I'm sure I'll have plenty of time to do that.

The Chair: Before we start on the clause-by-clause, are there any further comments or questions?

Mr Phillips: Maybe a question to you, Mr Chair: have you followed up?

The Chair: No, I'll be very forthright with you that because of my scheduling and the personal circumstance that I had to attend to yesterday, I did not have the opportunity. I was in Sudbury on Monday and, if I recall, one letter went Thursday and one went Friday of last week, so I haven't had a chance to follow-up personally on that.

Mr Phillips: The request on the \$300 million was made a week and a half ago.

The Chair: Initially, yes, the first time.

Shall we proceed with the clause-by-clause? I will go under section 1.

Shall section 1 of the bill carry? All those in favour? Opposed? Section 1 carries.

First of all, there are no amendments for the first 39 sections. Shall I collapse them into one vote?

Mr Raminder Gill (Bramalea-Gore-Malton-Springdale): Yes.

The Chair: OK. Because we've already voted on section 1, shall sections 2 to 39 carry? All those in favour? Opposed? That carries.

Shall section 40 carry? There is an amendment by a Liberal motion and, apparently, the amendment is not in order because you do not need a motion to vote against a section. You can vote against the section, but you don't need a motion to vote against the section.

1010

Mr Marchese: I just want to support the Liberal motion as a way of making a point to confirm that we are against it. In that respect, I think that motion is in order, Gerry. So I wanted to support you in that regard.

Mr Phillips: Thank you.

The Chair: Shall the amendment carry?

Mr Phillips: What is the amendment?

The Chair: I'm sorry, the amendment is out of order, really.

Shall section 40 carry? All those in favour? Opposed? It would be easier if the members put their hands up so I can see them. Some of them are pretty short, I must admit. Maybe it's my eyesight. Section 40 carries.

There's an amendment for section 41.

Mr Phillips: It's out of order too, I think.

The Chair: Exactly, yes.

Liberal motion number 3 is in order. I need a mover for Liberal motion number 3.

Mr Phillips: Are we going on to section 41?

The Chair: Yes, that's section 41.

Mr Phillips: I'm actually going to withdraw all our amendments. I think this has turned into a sham when we don't even have the information that we requested.

The Chair: So you are withdrawing all the amendments?

Mr Phillips: That's right.

The Chair: So we'll just go section by section?

Mr Phillips: That's right.

The Chair: Then I'll go back to section 41.

Shall section 41 carry?

Mr Marchese: No, this is where we need debate. No. This is the subject of all our hearings. How could we let that one go without discussion?

You recall that we were opposed to Mr Hardeman's move when we were in subcommittee, when the opposition parties were arguing to maintain the regular procedures around deputations and the selection of them, which was divided in four ways: the Tories would get a third, the Liberals would get a third, we would get a third and you, Chair, would get a third, and you would draw them randomly. We thought that process worked very, very well. We thought it was fair.

Why do we think it's fair? Because the government is able to introduce bills and, through that power, they're able to set the agenda. We felt that in committees at least, the opposition parties would have a greater say as to how these deputations should be dealt with in a way that was fair. There was never any disagreement in the past about that way of dividing the deputations and, all of a sudden Mr Hardeman, as a spokesperson for the government, decided the rules needed to change.

What does Mr Hardeman propose as to the way the deputants should be selected? He came up with the suggestion that it wasn't sufficient for these members, by virtue of being in government, to introduce bills, that they needed a greater say in the selection of the deputants because their members wanted to choose more of the deputants that reflected their world view. We thought that was wrong. We thought that was foolhardy. We think it'll catch up to you because you'll be in opposition, you see. Someday you will; it's just a question of time. Then you'll have to suffer the effects of that.

To be fair, Bob Rae, our former leader, did the same in terms of changing the rules. At the time, we felt we were being impeded from being able to do our work, because you guys didn't like being out of power and you used all the measures to oppose us—and that's a fair thing, obviously. But I've got to tell you, I was in disagreement with the changing of the rules—I was. That changing of the rules caught up to us because we, you see, went out of power and became the third party. So we suffered the effects of those changes, as I suggest you will too when you get on the other side and someone else moves into your place. So I say to Mr Hardeman, I'm trying to help you, in spite of yourselves, to be a little more reasonable and fair in terms of how you deal with those rules.

They changed the rules in order to get more deputants who reflected the position they were taking around this issue of tax credits for private schools. So half of the deputants came from the government and the other half came from the opposition parties. That's why we've seen, on the whole, many religious schools come in front of this committee to make a deputation and we saw two people from Montessori schools coming to depute, but we saw no one from the other private sector. No one came from those schools that would benefit the most, those non-denominational schools, the majority of which would get most of the money.

An example I cited often is Upper Canada College—not to cite them for any specific reason, but as an example—where they pay 16,000 bucks in tuition fees, and if they bunk down there, they pay 28,000 bucks. Not bad. I say those people really don't deserve public support. They made a choice to have their children in private schools. You see, they don't want them to consort with the others. As a result, of course, they have their own private school, they pay the big bucks and they have their own club.

All of a sudden, this government says that's not good enough. They need our money. They need public support so we can help them to the tune of, in four years or so, 3,500 bucks, because we think these poor rich people

need a little break from the public. It is their desire to be private but we, the public, ought to support that choice.

So the majority of these schools get the bulk of the public dollars, but the Tories didn't have the courage to invite one of those people from those schools to come and make a deputation pleading, perhaps, for our money. They get the bulk of our money, they don't make a deputation, and the Tories don't bother to invite them to come and speak so at least Marchese could hear what they have to say.

Mrs Tina R. Molinari (Thornhill): Why didn't you invite them?

Mr Marchese: Why didn't I invite them? I'm opposed to this measure. It's not my business to invite them; it's your business to invite them. It's my business to invite the people who would come in front of this committee to say, "You people are taking \$2.4 billion out of the education system, you're hurting public education and you want to hurt it some more by giving public dollars to private schools." That's my job. Your job is to invite your friends to come in front of this committee to defend themselves.

Marchese wanted to hear them. I wanted to be able to engage them in some debate, engage them at least with the minute that I would get from time to time, if I were lucky, to be able to ask a question.

Mrs Molinari: You should have invited them.

Mr Marchese: Yes, I know. On second thought, I might have invited them and said, "Please, come in front of the committee. Come, because I want to hear you. I want to hear what you've got to say." I should have, perhaps.

That's a little bit of history which I wanted to provide about how the committee changed the rules so as to be able to get more of the people who reflected the government's view to come in front of us. I say those rule changes will hurt. I say that what the opposition parties also asked during that subcommittee meeting was to have hearings that would go beyond 4:30 outside of Toronto, that they would go until 9 o'clock. The opposition parties asked for more than just the eight days of hearings that we got; we asked for 80 days. As painful as that would be for me as a New Democrat because I am alone here on these ranks, I felt it was important—because this issue is one of major importance—that we have hearings that would reflect the importance of this major policy change that you people have introduced. So we argued that eight days was insufficient.

When the Ontario government at the time decided to extend funding to Catholic schools beyond grade 10, the Tories at the time asked for 80 days of hearings, and they got them. They got them because they said they said to the new Liberal government that got into power, "Without it, we're not going to support it." So the Liberal government said, "OK, you're requesting 80 days of hearings? We'll give you 80 days of hearings."

1020

We thought it was a major change, in need of public debate. This is a major policy direction that needed long

debate, and it needed hearings to give people an opportunity to have their say. Not that we wouldn't know within a couple of days where people stood, in terms of the deputants, but the point was that we needed to hear more people give their views on this matter. The government decided to give us eight days—with pressure, by the way. It was not something where the government said right away, "We're going to give you hearings." We had to pressure these people. They knew the majority of Ontarians were opposed to it, and so they wanted to dispense with hearings altogether. But because of the pressure the public—and the opposition parties, to a great extent—put on them, they caved in and magnanimously gave us eight days of hearings.

We argue that the public wanted more time. Opposition parties wanted more time. The Ontario public deserves to have more time—or deserved, because I suspect it will be over today. We think that too will catch up with you. We think you have seen the polls. While Mr Hardeman might think that in some areas a lot of people support this bill, I think the majority of Ontarians oppose it and for good reasons.

Why do they oppose it? For various reasons. The most important one we heard from the deputants is that you have starved public education while you feed the corporate sector with the tax cuts they don't really need. They have done well in the last six years without public support, and you've decided they need our money in order to reduce their tax load because, good God, these people haven't been making enough money. They need more money, presumably to create more jobs, of which there is no evidence other than the government's saying so.

The public and the deputants we heard—that we invited—said you've starved public education of \$2.3 billion. People like Anna Germain came to this committee, right here in front of us, and said, "I'm sick and tired of hearing the government, the minister and the government members on this committee say we're giving more money than ever before to the educational system." She was sick and tired like me. I'm sick and tired of hearing it too. All you get is the manufacturing of figures, the manipulation of figures, the subterfuge, the confusion and obfuscation of figures to pretend and give the impression to the good citizens that somehow you're giving more money while everyone involved in the system knows they're getting less. You're hurting the system and parents are saying, "We're sick and tired of the cuts that have been made to the teaching profession, where we've lost librarians, we've lost music teachers, we've lost guidance teachers, we've lost technical—"

Interjection.

Mr Marchese: I've got more to say. Please.

Show that sign. Show it up.

"We're sick and tired of the losses to the teaching profession. We're sick and tired of seeing fewer caretakers. We're seeing schools that are dirty. It means there are fewer caretakers in the system to clean our schools. We now have more mice in our schools than we have

teachers." You've got to deal with that. There are no caretakers, Madame Molinari, to deal with the cleanliness of the school. You guys are firing them. It's not the board; it's you firing them. Why is it you? Because you've taken control of education finances. And because you've taken control, boards no longer have the flexibility to hire the people they need to run an educational system and run it well and qualitatively.

They don't have textbooks. We've got 36,000 people waiting for special ed services. There's no money to provide for young people who need special education services. Monsieur Hardeman and the rest of the gang say, "We're giving more money than ever before." Some 36,000 people are waiting, and the number is ever incremental. They need help, and they can't get it. We have fewer social workers, fewer psychologists than ever before. Young people are waiting to be assessed, and we don't have the staff to do that. So these young people with incredible needs languish in the school system, and you people say you're giving them more money than ever before. It's nuts, right? It doesn't make any sense.

People are saying, "We don't have enough textbooks." People are saying, "You've introduced curriculum too fast." People are saying, "Because of the curriculum changes you're making, a whole lot of people are being faced with the difficulty of not coping with aspects of this curriculum." They need help and there's no remedial assistance being offered, because the teachers don't have the time any longer to provide the help those students need, so they're dropping out. As a result of the curriculum changes you've made and as a result of the compression of five years into four, you're streaming young people, and some of those young people who are not able to cope are dropping out because there's no support.

So while you're proud of yourselves—Madame Molinari, former trustee of a certain board up there in the north—while you clap yourselves on the back for the great work you're doing, kids are dropping out. How can you be proud of the fact that more and more young people who deserve the attention of government, because school is an important component of how we cope in our daily lives, are dropping out and you people are happy about the great amount of money you're putting into the system and the changes you're making that are affecting an entire population of young people and affecting parents?

More and more parents are fundraising than ever before. We've heard parents say that some schools are fundraising to the tune of \$70,000. We've heard the other religious schools say they volunteer on a regular basis, that they are constantly there on different committees helping out the school, but we have parents from the public system doing that day in and day out. They're volunteering in many ways, and they're volunteering to raise money because there isn't enough money for basic things to provide the quality these kids need. Imagine parents having to fundraise for basic things in the school system. It's nuts. We've never seen that before.

Mr Hardeman was so proud of saying in the hearings, "We put in \$350 million more." Then board after board came, here in Toronto and outside Toronto, to say that tremendous losses have been sustained as a result of the cuts and that the millions they claim they are given are simply insufficient to deal with the problems they're facing in the educational system—board after board. Not one board came and said, "Thank you for the largesse of Madame Ecker," with respect to the money that has been given to these boards—not one board, not one parent, not one teacher, not one federation. While you might say, Mr Chair, that you might expect these people not to come and support the government, some of these people have no interest, necessarily, in simply inventing numbers. Like Mr Snobelen, who wanted to invent a crisis, parents and teachers don't come in front of this committee saying, "We've inventing numbers, because we just love to invent myths." Unlike the government, which created the crisis, parents have no such interest. Their main interest is taking care of children—taking care of their own children and taking care of the collective problems they have in a school system and doing their best to try to make it better.

We've heard from countless parents about the tremendous sacrifices they make in the public system and the inadequacy of a funding formula that is based on square footage and not on needs. They talked about how the one-size-fits-all funding formula is inadequate and foolhardy, because it doesn't address needs. Yet we had Mr O'Toole and others saying the one-size-fits-all funding for the various schools we've got in Ontario is simply not a proper way to go. The one-size-fits-all funding formula was OK for Mr O'Toole, but the one-size-fits-all for those students was not OK, and it was OK for him to say, "We need to provide support"—public money—"for private schools," the bulk of which, we have argued, goes to non-denominational schools that don't want our money. That's why they're private. They don't want public support. They want to shut out the public from their private schools. That's why they do it.

We believe in a public system that is well funded, and we believe in a public system that worries about the public good, not about an individual choice someone makes to take them to a private school, but about the public good, which is what public schools are all about. It's concerned about citizenry. It's concerned about the collective and not about individual decisions someone makes that, "The public system is not good enough for me. I'm taking my kid to some other school." If that's the choice you make, God bless you. But our concern, our role as government, ought to be to worry about the larger public good of our collective needs and how we address them. That's our job as government.

1030

We said that the way to address our diversity and multiculturalism is to reflect it in the public system; not to reflect it homogeneously and uniformly, but to reflect its diversity in fact. How do some systems do it? In the Toronto board of education we have international lan-

guages, formerly called heritage languages. The international languages teach language and culture. It's a wonderful way to reflect diversity, because it teaches the languages and cultures of the different communities that come into our system.

It took tremendous effort on behalf of those parents in the 1970s at the Toronto board of education to convince the Toronto board that the introduction of heritage languages by extending the school day would be a good thing for the system and a good thing for the various constituencies that come to our system from different countries.

It was a wonderful program. We fought strongly for it for years. We fought for it in spite of the fact there were many Tories on the Toronto board, and quite a number of Liberals, dare I say, who didn't want the introduction of international languages at the Toronto board. But eventually, because of the makeup of the board, we were able to win it, and it was a good thing.

We said it's good psychologically for students to be able to speak their own language so they can communicate with their parents and their grandparents. It was good intellectually to be able to speak another language, because the more languages you know—you can learn two or three or four; unilingualism can be cured. We showed that, and we showed that many of those young people who come from different languages and cultures were able to get into a language program that didn't even reflect their own language. It was a wonderful thing we had in some of our schools where Chinese was taught and we had Spanish-speaking kids and English-speaking kids in that class. It was wonderful that we did that. It's a way of reflecting our diversity, not homogeneously but in a way that respects culture, as it should.

We have multi-faith readings at the Toronto board. We compiled a big book this thick that reflected the different religions in our public system. The readings reflected that diversity. We didn't have one uniform prayer. We had many readings that reflected all the different communities. Contrary to what some people say about the uniform public system, it wasn't so uniform. We reflected the diversity very well.

We have black studies at the Toronto board of education, which reflects people of colour, and it should. We introduced native studies. By the way, we introduced labour studies as well, as a way of reflecting that diversity at the Toronto board. One of the Conservative trustees at the time said, "Oh, my God. Now we are tipping the balance. Now we've got labour studies. Poor marketplace capitalism is about to go out the window." Imagine that. One little labour studies section in that big curriculum of the Toronto board—the curriculum that comes from the ministry with one little section dealing with labour history—and the Conservatives were so worried. David Moll was so concerned about labour studies taking over. Anyway, I just point that out as a way of saying we were reflecting labour studies as well.

We could also reflect our diversity—

Interjection.

Mr Marchese: I've got more to say. Hold on. Just relax. We've got lots of time. We've got today and tomorrow.

We also said, Monsieur Beaubien, that if we teach the different religions as a course of study, we then would be able to reflect the differences of the various religions that come into our system in Toronto, in the GTA, Madame Molinari, everywhere.

Mrs Molinari: Thornhill.

Mr Marchese: Thornhill is not so far. What is it, 40 minutes from here?

Mrs Molinari: It's not that far.

Mr Marchese: Not even 40 minutes?

Mrs Molinari: No.

Mr Marchese: My God, I tell you. It was far for me. But by car, I'm sure, 40 minutes. It's not far. You could even teach that in Thornhill, even there, because you've got so many different communities that come into your part of the world. Wouldn't it be nice for us to reflect those religious differences as a course of study, rather than saying, "The way to reflect it is to put them outside the system"? That's true multiculturalism, some of you have argued. I couldn't believe that. It's funny to hear Tories argue that. It's a bizarre twist of events that they would argue that the way to reflect diversity is to set them apart in a different system, that's true multiculturalism. C'est bizarre, Monsieur Beaubien, quant à moi au moins.

I argue that the way to reflect it is in the system, not outside the system. That's the argument New Democrats have made. We oppose funding for private schools of any kind. We oppose it. We've been very clear from the very beginning, unlike you, unlike your government, where Monsieur Harris and Madame Ecker—poor Madame Ecker. I know Madame Ecker didn't want to put out a letter that said that if we fund religious schools, \$300 million would leave the public system. She must have felt so bad to have been probably forced to write such a letter. I'm convinced she didn't want to do it, that she wouldn't want to put out a public letter that said \$300 million was going to come out of the public system if we funded religious schools.

By the way, at the time, in that letter, she didn't refer to the non-denominational schools that get the bulk of this money; she only referred to other religious schools—300 million bucks. You see, Monsieur Beaubien, she knew that was going to be a problem. And Monsieur Harris, in his wisdom, said at the time that \$500 million would come out of the public system if we did that.

He also made some wonderful philosophical arguments that were written on his behalf, which have often been referred to by mon collègue, Gerry Phillips, when they did their brief to the United Nations. It's a wonderful statement of his concerns. He spoke so beautifully through the person who wrote it. He was good in reflecting the concerns we have about how we potentially fragment society in religious silos and fragment it further by providing support to private, non-denominational schools, and fragment it further by—you see, I believe

there's going to be an emergence, a proliferation of private schools, not necessarily just religious but other non-denominational ones. You're going to encourage a whole lot of entrepreneurs to set up other schools where they can make a few bucks, set up private schools on the basis of who knows what? They will proliferate, Monsieur Hardeman. But you don't have to worry about that, because reflecting individual differences is so good, as you proclaim—the sovereignty of the individual. If all these individuals have some great entrepreneurial ideas to set up their own schools, so much the better.

Harris and Ecker were right at the time.

The Chair: You have one minute left.

Mr Marchese: How could that be?

Mr Gill: Because you're repeating yourself.

The Chair: Mr Marchese, standing order 107 says, "In any standing or select committee, the standing orders of the House shall be observed so far as may be applicable, except the standing orders limiting the number of times of speaking. Unless expressly provided by the standing orders or by unanimous consent, no member shall speak for more than 20 minutes at a time in any standing or select committee."

I think you're aware of the rule. You have about 45 seconds to wrap up.

Mr Marchese: Monsieur Beaubien, you have been a fair judge, I must admit.

The Chair: Thank you.

Mr Marchese: If there was that Liberal motion, I could debate for another 20 minutes. Could you bring it back? Just bring it back so we can have a little more time.

Mr Chair, New Democrats are clearly opposed to this. We don't support it. We want a recorded vote on this section. Hopefully, I'll have an opportunity to respond to the others.

The Chair: Yes. You can speak again, except you have 20 minutes. I have to go to somebody else now.

Mr Marchese: I'll have so much more time, once they speak.

The Chair: Next I have to go to Mr Phillips.

Mr Phillips: Just to get on the record our concerns about this: first, this is a very major step. The government has attempted to say it's just a small step. But the people who have studied this have told us—earlier I mentioned the Fraser Institute, the National Citizens' Coalition, other groups. One said this is the most major development in education in North America, another said it's the most major development in 100 years.

1040

We are stepping off the curb and heading down a road which will fundamentally change education in Ontario. People have the right to disagree with my point of view on that but that is my strongly held point of view, that this will fundamentally change education in the province of Ontario.

The second thing I'd say is it's a fact that it's a complete reversal of Mike Harris's position held only two years ago, where he argued before the courts and before the United Nations that public funding for private

religious schools would do dramatic harm to our education system in the province of Ontario, that it was wrong and it was something the government did not support. I urge people who are interested in this issue to examine the various briefs that were presented by the province of Ontario to the United Nations. It couldn't be clearer in those briefs about the very substantial harm that would be done to what has been the cornerstone of Ontario: it has been, I argue, our publicly funded education system.

If people wonder what the arguments are against it, I say there's perhaps no better argument than the well-prepared brief presented to the United Nations and to the courts and it is 180 degrees the other way from where the government's now heading.

Many of the groups that came to us to support the government made it very clear that they regard this merely as the first step. Many argued, and one can understand completely their point of view, that they face religious discrimination. The Catholic community has public funding; they don't. There was a leader from the Jewish community. He said, "I live next door to someone whose faith is Roman Catholic. The government is practising religious discrimination. They fund my neighbour's school, they don't fund the school I want to go to."

That is a core belief and one that we can all understand. But also, I think we have to agree that this is only a step down the road to where they want to go and they will argue forever, because that's their belief, they must have full funding. It wouldn't just be the leadership in the Jewish community. It would also be true in many—virtually every other religious group that was before us would argue that this is, I think they would use the language, "a good first step."

But if we are agreeing to this or if the government's proposing this because there has been religious discrimination, every year, for obvious understandable reasons, those who say we need to move on this for religious discrimination reasons will continue to make that argument until there is full and equal funding. For this bill, full and equal funding will not be just for religious schools, it will be for all private schools. I'm opposed to this on its face in terms of the implications. But make no mistake, the pressure, for understandable reasons, will be relentless. Ten years from now, if we were looking at full funding for all, you can imagine the fragmentation.

The fourth point I'd make is the government has estimated the cost at \$300 million. The public should be aware that we've asked the government to show us the basis on which they reached that number. They have refused to do that. We have the parliamentary assistant to the Minister of Finance here. He won't even call over to find out whether we're going to get that information. That's obscene.

If this were a city council and the public was saying, "Tell me how you reached your estimate of how you're going to spend my tax dollars," and you refused to give it

to them, they would be storming the city hall. I cannot understand why the government members would ever sit still for essentially the Minister of Finance thumbing his nose at us, not giving the public what they deserve. The public, the taxpayers, pay the salaries of our civil servants. You have in the budget a \$300-million estimate and I want to know, and the public wants to know, how you reached that.

In briefings during the budget, the ministry staff told us that assumes the enrolment in the year 2000, last year, stays exactly the same as it is now. So we've assumed for the next five years that there is zero growth in private religious schools. Does anybody here believe that? The growth has been going on at 5% a year with no incentive. We heard from presenters, and we assume, that when you give someone an incentive it changes behaviour in some ways.

So \$300 million is a number that I don't think—I'd like one of the government members to tell us how they reached that assumption. But it's at least a \$500-million expenditure we're looking at, assuming that there isn't any change in the \$3,500 tax credit and assuming that the percentage doesn't go up from 50%. Does anybody here believe that? Does anybody here believe that five years from now we won't be looking at a higher number than \$3,500, that we won't be looking at a minimum of a 50% increase in enrolment in the private schools? It would be going up 5% a year without this program; that's 30% over five years without an incentive.

The next point I'd like to make is, that is at least \$500 million in forgone revenue that could be used to invest in education. We can debate the education numbers, but I'll just take the numbers presented to us by our research staff here. If anybody can dispute whether those numbers are accurate I'd be happy to hear their argument.

The research staff prepared us some numbers using ministry numbers. It said a couple of things: one is that while inflation's gone up over the last five years by about 12%, per-pupil expenditures have gone up by about 3%. While the rest of North America is investing in public education and is enhancing public education, we in Ontario are taking money out of education. These numbers also show that actually the government is spending \$75 million less in 2001-02—that's the year we're in right now—than they did last year. These are the numbers presented to the committee.

So here we are. The government's about ready to ram through a bill that will cost the treasury about \$500 million a year in forgone revenue at the same time as we are starving public education. I might also add that in post-secondary, our colleges and universities, today in the province of Ontario—the government made an announcement yesterday on spending on universities and colleges—we are spending \$200 million less, investing \$200 million less than when Mike Harris became Premier.

The rest of the world believes that the way to a sustainable, strong economy is through investment in our education. I watched the commercials of the state of

Pennsylvania and Governor Ridge says, "Come locate your business in Pennsylvania. Why? Because we have the best education system. We graduate more engineers, more technologists than anybody. Come to Pennsylvania." They've been increasing their investment, as every state in the US and every province in Canada has. But in Ontario, check the numbers. Look at the numbers yourselves, members of the Conservative caucus. The province is investing \$200 million less in post-secondary education in this budget, the one this budget bill approves, than they did when you became the government in 1995.

1050

Here we are deciding that we are going to implement a program that will, according to the government, have a profound, negative impact on public education. That's according to the Harris brief to the United Nations two years ago. We're about to implement a program that heads down a road—and this is just the first step, as serious as it is. This is just the first step. We're about ready to head down a road of \$500 million less money available for education. If the numbers presented by our research staff are incorrect, I'd like one of the government members to tell us that and correct it. But it certainly shows we are starving public education.

I also want to talk a little bit about consultation. It was ironic yesterday. One of the Conservative members asked the Minister of Transportation about an interchange on Highway 400 in Barrie and whether there would be any opportunity for public input. The minister proudly got up—rightly so—and said, "Yes, there's going to be a public meeting where we will first lay out the plans we've got. Then there will be another public meeting where people can come and comment on the plan. Then there will be a third public meeting where the final plan will be presented and you'll have input." There will be three public meetings on an interchange on Highway 400, and that's good.

But here we are about ready to ram through a fundamental change in public education that came out of the blue. I don't think anyone, other than people who were involved in the preparation of the budget, ever anticipated that the government was going to proceed with substantial public money for private schools. That came straight out of the blue. We took the government at its word in its brief two years ago, the letters the Minister of Education, Ms Ecker, sent, the letters the Premier sent arguing against it, saying how much it would cost, how much it would fragment education. This came completely out of the blue in early May. Here we are at not even the end of June, less than six weeks later, about to approve fundamental change in education with barely any consultation.

I repeat: on an interchange on Highway 400 the public is allowed three separate meetings to provide input on that, but when we're looking at fundamentally changing public education, it has to be rammed through in a matter of days with very little opportunity for real public input and, frankly, the government not even having the courage

to provide publicly the basis on which they reached the decision. The committee, as we all know, sent a letter to the minister saying, "We've got your research on why you didn't want to do it two years ago. Give us the evidence of why you want to do it now," and nothing from the minister. Nothing. We are going to have to vote on this in the next two days, and it's all over.

Does anybody believe that's an acceptable way to develop public policy? Does anybody in the public support a government being this secretive and, frankly, I think undemocratic? The public has a right to know the basis on which the government's made its decision, how it reached its financial conclusions and how it reached its policy conclusions. But here we are, having asked for the information, the minister knowing that we're dealing with it today and having the arrogance to not even respond to us. The somewhat interesting thing is that his parliamentary assistant, who is supposed to be involved in this, won't even answer the question, "Where is it and are we going to get it or not?"

For all those reasons: the huge issue of the 180-degree turn for the government, the first but a very significant step down a very disruptive road, a \$500-million decision but with one number and no justification from the minister—I don't know how any Minister of Finance can justify not being prepared to tell the public the basis on which he's going to spend at least \$300 million of their money. It's not his money to spend. It's the taxpayers' money. To have the arrogance not to tell the taxpayers how he arrived at this and the justification for it is beyond me. It's arrogance at its worst setting in, in a government.

The facts are, as presented by the research staff, that we are starving public education, but we've got \$500 million to spend to undermine public education. When I say "undermine," I am using the words and the language of the government's own brief. For those and other reasons, Mr Chair, I will be voting against this section of the bill.

Mr Gerard Kennedy (Parkdale-High Park): I am not pleased to participate under these conditions. I think the hearings, the lack of any movement by the government, the whole means of conduct, have shown that these proceedings have been a sham, have been a public relations exercise of the lowest order. This is not bringing dignity upon this House to drag staff and equipment and money spent to cater to people around the province for the sake of a show on the part of a government that doesn't have the courage of its convictions. Instead, we are here today at the tail end of a tawdry process that brings all into disrepute around this House. We were subjected in London to a slide show about art that had nothing to do with anything in this bill, except for the government's wish to block other people from being heard. The government aggrandized unto itself a power rarely used to control more of the witnesses than is usual and then abused that power by not letting it reflect what the people of this province wanted to be heard.

As we've learned and as people participating in this committee will each learn in their communities over the

course of the summer and fall, the numbers will out. The experiences of your public schools will be put in stark contrast to this reckless measure and this lack of courage. The \$950 per student less that is demonstrably, palpably the result of your other government policies is going to stand alongside the drain that this particular policy in sections 40 and 41 puts forward. The lack of courage is even more startling for the manner in which this is put forward. It's put forward hiding behind people with some legitimate claims to fairness, or to be heard at least, and it deliberately exploits them in a way that isn't factually supported by the structure of sections 40 and 41 vis-à-vis their situation.

It is in every respect a low watermark for this government, unable to put on the table what it really means, unwilling to hear from people, a government actually afraid of its own citizenry, afraid to hear from them, afraid to discuss with them, afraid to put to them a proposition in a fair and open manner, because if that proposition was so put, then it would be put in the following fashion: that sections 40 and 41 create a private secular education network in this province supported for the first time ever by public funds. That's what the two sections together would foist on this province, yet not one person, except using code words, would contend that in public. Instead, we have only buzz words and re-direction.

1100

I have here a copy of the so-called talking points of the government and in each and every case that they're asked direct questions—some already raised by my colleague from Scarborough-Agincourt, Gerry Phillips—the advice given is to defer and get around and answer something else. Don't talk about why this doesn't really benefit religious schools, don't talk about how this can harm the public education system, but rather talk about something else. Mouth meaningless things like "choice," when you're taking choice away from thousands and thousands of children in this province to a meaningful education. When you set up the artificial, obvious dichotomy of setting some against others, this has been a hallmark, but it certainly reverberates a certain character on the part of this government, when it has to subject the institutions of this country to such a low usage in terms of the potential we could have had for a proper debate.

I think what people are starting to draw from this debate, even as the government moves today to muffle it, even as the government uses, in abusive terms, its own power to control this committee, even as it does that, is that it hasn't succeeded with its main task, which was to muffle this particular initiative, to hide it from the light of day, keep it away from people's consideration. These members of the committee and this committee as a whole, in the influence of the government in its charge, has failed, because several thousand people have responded in the negative to this initiative directly to us, and we know that many thousands more have responded directly to the government, a government that needs no reminding that it has no mandate. It has no legitimate

means to put this proposal forward, to misappropriate \$300 million or \$500 million or \$700 million. It has no mandate. It sought no permission. It has formed no question to get an answer, and in point of fact it is running directly counter to promises it made in the course of the last election campaign and in writing, deliberately and publicly, to the people of this province.

Further, using the resources of this province in the preparation of a case before the Supreme Court, the highest, most serious panel of probity we've got in this country, this government made arguments on the other side of the proposal which we have in front of us today. That's how severely reckless the government is prepared to be. It is prepared to cast aside the reasoned facts that it put forward over the course of almost a year in front of various tribunals including the United Nations Human Rights Commission. It stands here today absolutely without a fig leaf of protection to try and claim that this is a legitimate initiative of theirs, when a year and some ago they backhanded the very groups they say they're championing today.

This government has not only no mandate, they are usurping a certain moral authority. I would say, within that will come some of the government's return on this particular initiative. To exercise power simply for power's sake may seem like an easy thing to do. This may seem like the simplest thing in the world for the government to shove through, because they have the numbers. But it bespeaks a level of arrogance that will catch up with the government. There is no place to hide from the baldness of this particular initiative.

If there is one thing that has succeeded over the last number of days, it is the number of people who have woken up and been alive to the fact that the government has set itself on a particular course that it has not advertised, that it does not have permission to enter, that it has not scouted the terrain of, and it is just veering off in that direction and hiding behind all manner of pontifications that it doesn't even have the civility to separate from its real intentions here. This particular measure confers main benefits, two to three to five times the financial benefit, to private secular schools because it's designed that way and because it's the particular measure this government had in mind.

Why is it being celebrated by the Fraser Institute and the National Citizens' Coalition and by groups who are of the hard right-wing variety? Because it is cause for celebration for people of extreme ideology throughout North America. At least those proposing this particular proposal in other jurisdictions have the honesty to call it what it is: a tax credit and a voucher, one and the same thing. Potato, potahto, it's the same thing in practice: it's money in the hands of individuals to pursue whatever institution of education they should like. It was turned down in 33 US states, where those proponents did not hide behind their majorities in their respective Senates or their respective Houses of Representatives. Those people didn't hide behind phony hearings where they screened out the people in this province who wanted to be heard.

We in the opposition heard from more people than this committee did by setting up hearings in Peterborough and Mississauga, in London and in other points all around the province. It could have been done. This committee could have shown some respect. It could have sat at 9 in the morning until 9 at night. This government wouldn't do it. It could have sat all summer. The insult that's inferred in this is that not only is the government going to have its way, it's going to have its way in a fashion that is calculated to serve upon people their lack of consequence to this particular government. It says to each of them that, even though this government has by any reasonable estimation at least 18 months in which to put in practice this particular bad policy, it won't give 18 days to its consideration; that it has such low regard for what the people of this province might do or might find out if this was to continue for a reasonable length of time as bears the seriousness of the proposition that the government has put in front of us, or at least has now been centred by the intervention of others as being in front of us—but rather than that, the government scurries for the hidey-hole.

That's why we're here today. We're here to denigrate this process by bringing closure to something that does not bear any relation to the consequence of what's been brought before it: an expenditure of \$300 million in the same year when the government cut the amount of textbook funds from \$30 million to \$15 million. Every member opposite is going to have in their home communities kids without textbooks for entire subjects next year, on the premise put forward by their Premier two weeks ago that this is predicated on there being enough money to consider it, on the economy and on other things that they've calculated to cause to make happen, which have actually made this surplus amount of money available, when all across the province school boards are making wrenching decision after wrenching decision.

This committee stands guilty of not having reckoned with those consequences. We have individual responsibilities here in this committee. We're elected by individual constituencies. We stand in our place and are responsible to them. I wager in every single one of our communities our school boards are removing essential services to students because they can't have the money you propose to throw down this particular path.

I heard a member from London talk about, "Well, it's only \$15 million this year." That \$15 million is the other half of the textbook money. And you can't guarantee what it will be. You can't guarantee what the costs will be, because the Minister of Finance, who is charged with over \$60 billion of expenditures, hasn't done a single iota of homework, hasn't done due diligence, hasn't put any staff on this. The only research we've seen was conducted in progress by the researcher on this particular committee, incredibly.

Yesterday in the estimates committee we found that the Minister of Education, the minister charged with the responsibility for learning in this province, couldn't even

give this a full-fledged endorsement and also has done no research. The Ministry of Education has not examined, not one bit—there's not one piece of paper to be put forward to say how this proposal, wherever it was hatched, will affect the public education system. It's incredible to think a government elected with that responsibility would suddenly toss it overboard.

1110

What has seized this government to make this kind of reckless measure? I think this is the time and this is the place to propose that this government is jerking off to a direction that is ideological, that is opportunistic and political in nature. It can't be conviction.

You've heard, day in and day out, from my colleague quoting the United Nations, quoting the minister, quoting the Premier. The sophistries aside, let me tell you something the minister said yesterday which just shows you how alarming all of this is. The minister said the reason that she wasn't completely against this proposal was because it wasn't the direct funding that is found in other provinces. That would hurt kids, and that's what she meant last year when she said it would hurt kids. Yet when we asked that minister or the other minister, the Minister of Finance, "What do you have to say that this won't hurt anyone?" then they say, "Well, there's the research of other provinces, which do direct funding," which the Minister of Education of this province believes would be harmful. So what do we depend on? Cleveland, Milwaukee? In Cleveland, 1,500 kids are part of a voucher tax credit program, and we're supposed to believe that on the basis of that you're going to subject 2.1 million kids in this province to this suspect policy? Where is any reasonable foundation for people to do this?

The members opposite have an obligation today to put on the table something more than slogans, to tell their constituents, and ours as well, why they would take this kind of risk, why they would subject it to this kind of undue haste; to even tell us what the political gain to be had is going to be, because from the reaction we've seen outside of these hearings, in the places where people have just wandered in because they're troubled, when we read the thousands and thousands of coupons we've had sent back from the little notices we've put in the paper, and thousands of e-mails, these people are motivated. These people are not going to give up on this particular measure because you usurp your power today. You don't have the moral authority to pass this and have it go away. It simply isn't there. I don't care what kind of government you think you are; you can't play around with 2.1 million children. You don't have that kind of authority. None of us would and none of us should.

There's a whole fantasy, I think, to this particular proposal today, that somehow, just because we pass this law, out of whole cloth you're going to be the first jurisdiction anywhere in North America to give children a back door out of public education. Every other place it was considered it was shot down, and the margins were heavy—70 to 30, 75 to 25—when people had some free will. What the heck has happened to this particular

government that it would not only not offer that opportunity, but it wouldn't have the decency to make this proposal and wait until the next election, if it's so confident in what it's doing?

This government is setting a very sad example. There was a time when, even in the midst of some very severe disagreement, there were some reasonable people who would ascribe to the governing party some of the values that went before, some of the values shared by other parties and some of the values shared by previous governments. I think that illusion is shot to heck. Every day I get more and more people saying, "I used to be a Conservative." You got some in your e-mails today saying, "This is it. This makes no sense whatsoever."

There used to be a Conservative Party in Ontario that had some reckoning with community. This is an anti-community measure. This is the laziest possible way you could address the issues in education in this province. By bringing no amendments forward, you're endorsing the idea that anyone can exempt themselves, can walk away from public education. It's the absolute counter to any thought established over a couple of hundred years in this province that we pool some of our resources and we pool some of our challenges. You say to us here today instead, "Forget about that." You are ignoring what used to matter to Conservative Parties: some tradition and some community. That's why you're not going to get away with this. It is not as if you just get to pass this and it walks away. Every small school that shuts down in your communities is going to be your responsibility. What do you think, Mr Hardeman, is going to happen to some of those small schools when they can set up in schools of five and the funding formula is the same one that threatens five schools in your board? There are rural areas that are losing funds. There was a little bit of funds injected this year. There must have been some nervousness in the caucus, because up to now, up to this year, Mr Harris had \$500 per student in rural areas and most of the rest, like Mr Beaubien, had \$10 per student in rural compensation—not fair, not built on a sense of community.

In the last minute, I have to say something that I would have put forward as a proposition. I would have given the benefit of the doubt to this government, at least in the alternative, but can no longer, that this has been your plan all along; that the ideological lurch that this represents today has been well set up by your defunding, your decommitment. You can't say you're committed to public education when you open up a highway out of it. You can't be seen that way. You have set up a financial structure where you'll never again have a financial interest in public education doing better. You've shown it this year. According to the research, it was \$75 million gone. We can expect more of that in the future because the more kids you chase away, the better off you are.

The Chair: Any further questions and comments?

Mr Hardeman: I guess I just want to say that I won't be going on a tirade with issues that do not relate anywhere near the facts, as we've been hearing from across the room.

First of all, I want to address the issue that Mr Marchese brought forward about the deputants who made presentations to our hearings around the province and here at Queen's Park and the fact that the lists of deputants, of course, were sent in for anyone who wanted to make a presentation. The lists were then circulated to every member of the committee and every member of the committee had the opportunity to look over the list and select the deputants they felt would be most helpful to them in making a decision on this bill. In reality, every member of the committee got to pick two members out of 14, since there are seven members on the committee.

Having said that, I think it is also important that Mr Kennedy spoke to a deputant who, in his opinion—of course, that's not necessarily shared by other members of the committee—did not make an appropriate presentation to the committee. As the Chair will know, everyone, as they made their presentation to the committee, was told that they had 20 minutes to make a presentation in whatever manner they deemed appropriate to point out their opinions and interest in this issue. I presume that the individual who made the presentation that Mr Kennedy rated as not a passing grade for him deemed that that was the most appropriate way to express his opinion. I fully support his right to do that.

I also point out, as I mentioned earlier, as to how the presenters were picked for the committee, that that day, of the long list of people who had applied to present, there were three presentations made by one federation. I have nothing against that. I just would look at that and say that's not a broad section of public opinion, particularly when two of the three were from the same local of that federation. I would question whether that is—not that I have anything against that. Those people have a right to speak as often and as thoroughly as anyone else. But I just point out that, as we are looking for a cross-section of people so as to get a feel of where the public in this province is on the issue, a broader cross-section may have been more helpful. But I sure would not want to suggest that any member of the committee did not make an appropriate choice on who and what information they deem most appropriate to have for our perusal to help make our decision.

1120

We also hear a lot of discussion about funding for public education. The committee has heard a lot about the issue of funding for public education. As recently as this morning, we got the information from the committee researcher as it relates to the figures, in fact, the figures that we have been putting forward in the committee since its initial meeting, that education funding in the public system has gone up from \$12.9 billion to \$13.8 billion in the public education system. This year's budget, the budget we're talking about right now, includes \$360 million more into the public education budget to show our government's commitment to public education.

But this really is an issue—and I think that's the one area the opposition may be right on—of fairness and parental choice. I think we heard a considerable amount

about that. A lot of the presenters who presented before us looked forward to the opportunity to make it more accessible to them, to send their children to an education of their choice.

I think the majority who spoke on the religious choice didn't put forward a position that they wanted the academics to be different, but they wanted and really felt for their children that the principles and the type of lifestyle they lived at home needed to be included in the children's total life, including the education portion. There were others who made presentations who felt that the way something is taught has as much impact as what is being taught. They felt that for their children, they wanted that choice. Those who supported that choice also felt that it was fair that there was some recognition in the tax structure for the contributions they make toward that choice. That's why this is being put forward.

I want to speak just quickly about the amount of money that the opposition keeps throwing out. They start with the budget figure that is mentioned, which at the end of five years, when it's fully implemented, is estimated by the Treasurer to be \$300 million. That's what the opposition starts with, and then, for some strange reason, they come up with that it could \$500 million, it could be \$700 million, it could be anything. But the truth is that the Treasurer has put it in the budget as \$300 million, because that's what he has projected it to be.

Mr Phillips: On what?

Mr Hardeman: There is nothing in the figures, as we look at other provinces, to suggest that people are going to move in great numbers into a system different from what they are presently in. The opposition seems to have this vision that parents don't have their children in the public education system by choice. My children are in the public education system and that's my choice. I'm not waiting for some reason why I wouldn't want them in that system. I like them in that system, and that's great. I think the people who are in that system feel that's appropriate, but it's not appropriate for all parents. That's why I think it's so important that this budget allow for some of that parental choice; that we don't do what one of our presenters told us in London when we met, that the public system was doing a great job of assimilating the children into the public education system. I don't believe that's what all parents want for their children and I don't think government should force parents to put their children into that if that's not where they want to go.

It's important that we recognize in the comments of Mr Kennedy, as he goes on his tirades, that this is not, I dare say, at least for my part, a decision for which I have to put out the political reasons why I'm doing it. I think we're doing this because it's good for the parents. It gives parental choice and it gives fairness. We heard numerous presentations during our committee meetings on the unfairness of the present system and the fairness of putting a system in place that provides some opportunities for independent schools that presently do not have it. I think Mr Phillips made the comment about the neighbour who was in a Catholic system. One of the

presenters made that point. He complained because his neighbour, who was in the separate system of our public education system because of choice, was getting fully funded, whereas he was making a choice for his children in something different, in fairness, and he was getting no funding at all, and that definitely wasn't fairness.

The other thing I found interesting during the presentations is that I think Mr Kennedy made some comments about his children being in Montessori education but in the public system, which is great, but that's not an opportunity that's available to all other children. In great parts of the province, our children do not have that option in the public education system. I think it's appropriate that if that's the choice parents deem appropriate for their children, they get some assistance to help make that happen.

I think we could go on at length, but I have no interest in spending all morning going on.

Mr Marchese: Speak your mind, Ernie. Say what you want to say.

Mr Hardeman: No, I will conclude by saying that Mr Phillips made the comment that we refuse to get the information. We are working on getting the information for him and hopefully it will be here—

Mr Phillips: Before the vote?

Mr Hardeman: —as soon as we can. It's not being refused; we just haven't received it yet. So with that we'll conclude our presentation.

The Chair: Mr Marchese, you have the floor.

Mr Marchese: Monsieur Gill, I thought I was going to listen to you first.

Mr Gill: I want to. Is there unanimous consent that I may?

Mr Marchese: We can come back. We'll come back in the afternoon.

Mr Gill: I thought you said you wanted to listen to me.

Mr Marchese: No, I'll hear from you again.

Just a couple of things. I've been fascinated by the discussion, as you might imagine. I was fascinated by Monsieur Flaherty when he came here and talked about people wanting an education in their own language and culture. I was startled by that revelation of Mr Flaherty's. I didn't know he cared so very much about these multicultural groups.

Mr Gill: We all do. I'm a prime example.

Mr Marchese: Yes, of course.

In the context of what he did in the past, that statement surprised me. What did he do, along with all of you other fine Tories on the other side? You got rid of employment equity in short order. It didn't take you long. The intent of the employment equity bill was to give greater fairness to groups that had been discriminated against, and they were four: women were one group, traditionally; aboriginal people; people of colour; and people with disabilities.

Mr Gill: On a point of order, Mr Chair: Could we ask the member to stay on the point, please, and not repeat himself? Is that in order?

The Chair: No, I don't think it's a point of order right now.

Mr Marchese: Merci, Monsieur Beaubien. You're much wiser than he, obviously.

The point of it is that in the context of what this government has done and in the context of his statement that people want their own education in their own language and culture, he seems concerned about the immigrant groups, the multicultural groups. In that context, I say, why would you get rid of employment equity, which is an attempt to bring fairness to a whole lot of groups that have been discriminated against? One big group was, of course, people of colour, people with disabilities and aboriginal people. They got rid of that in short order. They extirpated all references to words such as "equity" in the new curriculum that they brought forward. There's no mention of words such as "equity." You would think that a government that is concerned about education in their own language and culture would worry about issues of equity for those very groups. But those references to equity are gone.

1130

The word "anti-racism" does not appear in any curriculum document. I'm bringing it in. They have extirpated the Anti-Racism Secretariat. It's gone, presumably on the notion, Monsieur Gill, that we're all equal. We don't need an Anti-Racism Secretariat because we're all equal, as you know, right? And if there's an issue of discrimination, Monsieur Gill, the Premier argued you could take it to the Human Rights Commission and that would deal with the problem.

I think Mr Gill recognizes that we are not all equal in society, generally speaking, and that some people suffer more discrimination than others. People of colour certainly experience that, and many other groups in society. The Human Rights Commission isn't there necessarily to solve the collective issues that people suffer, but only individual problems, and only if people have the courage, the stamina, the strength and the money to take an issue through the system, which sometimes takes three years. So we know the Human Rights Commission is not the solution to racism and that the Anti-Racism Secretariat was a pro-active measure we took as a government to deal with issues of racism before they even happened.

The government says, "Now we've got rid of that." They got rid of the Welcome Houses. They got rid of the \$750,000 for ESL programs that were under the Ministry of Citizenship. That's you guys. Maybe you didn't know. Now international languages are virtually disappearing in the Toronto board because there's no money. They got rid of all the very things that address issues of culture, issues of differences, issues of multiculturalism, yet Flaherty comes and says, "People want their own education in their own language and culture," and he is going to provide it for them. So you understand. Monsieur le President is very amazed by that statement.

He's also amazed that it was Flaherty who introduced this measure—and all these wonderful staff who are listening to our debates are Mr Flaherty's people, right?

They are here listening to our discussion. I hope you're enjoying it, by the way. But it was a financial decision that was made.

Here we have a decision on a tax credit that has huge educational and social implications, but the tax people say, "This is only a tax measure. It isn't intended to solve or deal with educational issues. Yes, perhaps there are consequences as a result of it that may accrue or may impinge on the educational system, but that's not our problem. Our problem is to give a tax credit that provides relief to parents, be they middle class, be they upper middle or be they lower working class."

I find it odd that a measure that has huge implications for society in general has no corresponding connection to the Minister of Education; that the poor woman, the Minister of Education, had no chat with Monsieur Flaherty before he introduced it. They didn't bother to say, "Gee, how do we deal with this issue, because it's going to have all these other implications?" She was, of course, as equally surprised as we in opposition.

I am amazed that they didn't prepare adequately for the considerable questions that have arisen as a result of this policy. I wanted to put that issue on the record, to defend poor Madame Ecker. If I were a minister and Flaherty didn't consult me, I would have been angry as hell. I'm sure she was privately angry, but you can't say that publicly. I am convinced, Hardeman, that there's a whole number of you who don't support this measure, but I've been in government too, you see, and so have the Liberals. Some of them are very new, but Gerry was here. You understand that when you're in government, you can't show the public that there are divisions. You all have to play the game. I understand that. So I am convinced there are a number of you who think this is a crazy measure, but you're muzzled. I know some of you would love to say, "I am opposed to this."

John Hastings, MPP, I know this. I know that someone like you over there in Etobicoke isn't so crazy about this measure, but I know you can't reveal it.

Mr John Hastings (Etobicoke North): You wouldn't know my mind if you could read it.

Mr Hardeman: I don't know about this time, but I'm sure there are others when you were—

Mr Hastings: You're always assuming.

Mr Marchese: There are divisions in some other caucuses possibly, no doubt.

Mr Hastings: It's arrogance.

Mr Marchese: No, John, to be fair, you know I'm trying to be—

Mr Hastings: You're just being arrogant.

Mr Marchese: No, I'm not being arrogant.

Mr Hastings: It's just silly.

Mr Marchese: But it's not silly.

Mr Hastings: It is silly to assume that I—

The Chair: One discussion at a time, please.

Mr Marchese: Yes, John, get on the record.

Mr Hastings: I'm on the record.

Mr Marchese: But, please, speak. We've got a whole day, today and tomorrow.

Mr Hastings: Be a little more entertaining.

Mr Marchese: OK, but you know that I'm right in saying—

Mr Hastings: You're impugning.

Mr Marchese:—that there are a number of people in your caucus who oppose this, but you can't say it.

Interjection.

Mr Marchese: All right. Well, maybe I'm only guessing on the experience I have as a member.

John, let me tell you something. We had a debate in caucus on the auto insurance plan. I was opposed to our not proceeding with making auto insurance a public governance issue. I defended my view that we should proceed as we had said before the election, but the majority of caucus went the other way. I was against that measure but I didn't publicly go out and say, "I'm against Bob Rae." I didn't do that. Do you understand what I'm saying, John? I am saying to you that I believe, in your caucus, there are people who are objecting to this measure and they're not saying. That's all. But you don't have to tell me if you don't want to. That's OK. I understand. But the public probably will find out one way or the other.

To continue with some of the remarks I made and some new remarks I want to make, the Fraser Institute came in front of our committee. You remember that, Ernie. Claudia Hepburn was her name, a wonderful mouthpiece of the Conservative Party and the Alliance.

Mr Hardeman: Was she Conservative? I don't remember her saying that.

Mr Marchese: Would Claudia say, "I'm a member of the Conservative Party"? Of course not. But did I say that they're a mouthpiece of your party? Yes, I said that. They're a wonderful mouthpiece of yours and the Alliance party's.

Mr Hastings: The Canadian Centre for Policy Alternatives—another socialist name.

Mr Marchese: You don't like us very much, do you, John? They're socialists, yes, I know. They're so evil and they're so great in numbers that you've got to really worry about them, right, John?

Mr Hastings: I'm never worried.

Mr Marchese: OK. Claudia Hepburn of the Fraser Institute said, "This tax credit functions like a voucher." Ernie, do you remember that? Mr Chair, you remember that. She says it functions like a voucher. You remember that most opposition members are saying, "It's a voucher." But it's not really a voucher. That's how the Premier gets away with it, right? Because it's not. How does he escape not saying that this is a voucher? By calling it something else. It's a tax credit. But it functions like a voucher. It was wonderful that Claudia made that point because that is the point, right?

Ernie, you're looking very quizzically with your squinting eyes. That's what she said. I wrote it down.

Mr Hardeman: That may have been what she said but that doesn't make it so.

Mr Marchese: I wanted to point that out for the record, just to remind people about Claudia Hepburn

from the Fraser Institute, who came to support this government on this issue, whose statement was that on the issue of the voucher.

I've got to say to you that Duncan Green, a former director of education—he opposes this measure—was quite right when he said, "Usually a tax credit is introduced to encourage a particular action or behaviour. We cannot think of a tax credit that is designed to discourage activity." He's right. A tax credit is an incentive for people to take it up and decide, "I'm leaving the system, because this is now a little bit of help. It encourages me to leave the public system. It's enough money that I can now go to a private system." It's an incentive. It doesn't discourage people, it encourages people.

The \$2.3-billion cuts you've made to the educational system, Mr Hardeman, in spite of your protestations to the contrary, coupled with this tax credit that is an incentive for people to leave the system, will create an environment for a potentially high number of people to leave the system. Is it going to be an exodus? We don't think so. But it is a tax credit and it will encourage people to leave the system, and because you have destroyed public education with your assault on the system, many people will take advantage of leaving it.

1140

So will it be \$300 million or will it be more? We think it's going to be more. We obviously believe it will be more. Your Premier believed it too. You can say whatever you like and, of course, history will tell, but we believe it will be—

Mr Gill: What if they all came back to the public system?

Mr Marchese: Mr Gill, if they came back to the public system, I'd say, let's embrace them. Then I would say, let's pay the bill.

Mr Gill: It's \$700 million.

Mr Marchese: So what? If people were in our system—sorry, Raminder, but I'm for public education. I suggest to you that having them in the system is a better thing. I'm not saying it's great, John Hastings, MPP for Etobicoke North, that it's good to have people outside the public system. No, to the contrary. I say if the tax cut were not implemented, as you have done—and you will have taken about \$12 billion, more or less, finance people, by next year. By the end of the next two years, \$12 billion will have left the system. Imagine if we'd kept that in the system, we'd easily be able, Raminder Gill, to incorporate those individuals outside the public system, because we'd have the money, you see.

But with \$12 billion gone—at this moment, it's about \$8 billion or \$9 billion—of course we wouldn't be able to incorporate these young people into the system, because the money's gone. We don't have it any more. You've given it out in tax cuts.

Mr Gill: So we get rid of the Catholic and the francophone? Is that what you're saying?

Mr Marchese: Raminder, I want to finish before 12 o'clock.

I am opposed to the tax cuts that you have given to individuals in our society, individuals who don't need the money. People who are wealthy don't need money. I am opposed to your tax cuts that you've given to your corporate, rapacious sector that is never satisfied with any cut that you give them, because money leaves our system. We won't have the money to be able to deal with our health care system, our education system, our social services, home care, nurses, anything you can think of. You've destroyed our public service, because you've taken the billions and billions of dollars and given it away in tax cuts that we will never recover.

I say to the Liberals, they're going to have a hell of a problem when and if they form the next government because when the recession comes—and it's coming, by the way, not because I am omnipotent enough to cause it, but I'm prescient enough to be able to suggest that it will come. If it comes and should Liberals be, in their minds, lucky enough to be in power, they will face the same problems we faced in 1990: recession, probably full-blown, because I think the next recession is going to be uglier than the one we had in 1990.

Imagine the poor Liberals being in power, should they be, in their minds, so lucky. Are they going to be able to tax people back those billions and billions of dollars that have left the system? They're not going to tax people in a recession. New Democrats are the only ones who proposed that we take some of that tax cut back, and obviously we would take more if we were elected, because we need the money.

Mr Hastings: It's an addiction with you guys.

Mr Marchese: I know it's an addiction for us, but it's an addiction for you to give my money away to your corporate buddies, those rapacious individuals whom you consort with on a regular basis. You're giving my money to them, and they don't need it.

I'm suggesting that the Liberals have got to think this through. Recession is on its way here, money won't be coming in, people will be unemployed, welfare will be going up and \$12 billion of my money and yours, good citizens who are watching—or hopefully watching—that money won't be there to provide for the services that we will need. I wonder how the Liberals will cope with that. I put that on the record, Gerry, just in case you want to comment on that.

But it's a serious concern, you see. I've got a serious concern. I'm opposed to those tax cuts absolutely, always have been. You certainly don't introduce those tax cuts in a good economy. You don't do that. Imagine giving the corporate sector a tax cut in a good economy.

Mr Hastings: We all know what you did; you increased taxes during a recession.

Mr Gill: You'd spend your way out of a recession.

The Chair: One minute.

Mr Marchese: One minute again? I can't believe how time flies.

I was interested in Mr Hardeman's views. When the religious schools came, he loved the fact that they won't be supervised or made accountable in any way. He said

that's OK, that's really cool. But for the public system, it's not OK. For the public system, the law of the land applies to them, isn't that right, Ernie? The rigour needs to be put into place, isn't that right, Ernie? The public school system is so bad that the we, the provincial government, need to centralize, demonize and supervise the public system in order to make it better.

But for the private schools, ah, choice is the norm of the day. That's OK, because they don't need to be supervised and made accountable. Isn't that funny, Ernie, that you could be so inconsistent with your arguments, with respect?

Mr Chair, we may come back to it possibly. Who knows?

Mr Kennedy: The government may comfort themselves by saying, "The opposition's being unduly negative." I want to be certain that they understand the nature and the depth of the opposition here. The government had an opportunity, as it has had in other circumstances, but perhaps more clearly here, that if they wanted to do something useful, they could have done so.

This is the nut of the objection: a government that skates away from opportunities, that runs from chances to do useful things, that when trying to wrestle with choices between goods or avoiding poor outcomes for people, isn't prepared to roll up its sleeves and do that. The government could have spent a number of years or months—certainly probably at least a number of years in reality—creating an education system that would be excellent for every student in it.

With the same amount of money they've nominated for this purpose, they could have lowered class sizes to 20 in the primary grades. That's what the government could have done. They could have started in September. We could have been rushing through a discussion of how to do lower class sizes. That would have been tolerated in this province if the research had been done, if the proposal had been put forward.

There's a tremendous amount of startlingly good research that says, as every member in this committee probably already knows, that an action we could take could improve the quality of life for a young child and the eventual adult for a pretty nominal cost, for the sake of making sure there is someone who can pay attention to that child as they hit the younger years, as they get into the primary grades. We know that.

Right now, we've heard from presenters, both at these hearings and at the other more extensive hearings that we held, of classes of 32. Last night in Mississauga, a woman from Brampton had to pay to put her son into a private special-needs school in grade 3, not because they had expertise but just because they were going to give smaller class sizes and pay some attention. This woman did not want to do that.

There is also the next of the objections: rather than give people real choice of a public education that's been committed to, that starts to put measures in place, that conspicuously gets all the people on side, why is it so difficult for this government to get educators, students,

parents and others working together? You've had six years. You couldn't find a single thing that everybody would agree on and row their oars in the same direction?

We should be fighting ignorance; we shouldn't be fighting among the various factions you're so good at creating within education. Lower class sizes is where you could have started. Then, rather than break up and fragment, as your minister and your Premier have said you will be doing with this measure, you could have looked at ways to enhance both the diversity and the effectiveness within the public system.

I think every single member opposite has to concede you can probably find centres of excellence in your riding. If you've made it out, and I have to say that a number of you have, our MPP back-to-school report card will be out next week, and a number of your colleagues will be on it with good marks. But some won't; some won't have bothered.

But if you did and if you'd been there for a whole day, you would have seen excellence in your schools. What you could have done is said, "Where we find excellence in the public system we're going to pay, as the central government, to make it available. We're going to stop interfering and pretending we know everything. We're going to actually allow those insights to be shared. We're going to allow for some diversity."

1150

Real choice means the choices available to most people and that's what you could have done. You could have had something like our lighthouse programs and said to people, "What's happening down the block can happen in your school too, because we're going to make it happen." It doesn't take huge amounts of money; it takes a will and a commitment to make things better. You could have done that. You didn't have to bring us this. You could have also said that you're prepared to invest money.

I think you know that all these negatives, all these push elements, don't work in most reasonably sophisticated businesses. You can't thrive. You can get by pushing workers around or pushing people to your objectives, but you can't actually do a very good job, especially in industries like aerospace, and so on. They have team leaders. They don't have heavy-duty bosses that bring the hammer down, because it doesn't work, and it doesn't work in education. This idea we have in front of us today is vintage 1950s. What the heck is it doing being taken off the shelf and dusted off, here of all places, when it has been proven that kind of negative incentive—what some of these people have talked about as competition—is nothing but?

If you wanted to achieve things, you could have lined up some real engagement in the communities by providing the supports and the incentives. You could have looked at some meaningful ways, for example, to do teacher training. If you want to teach a new curriculum, make sure that your instructors are trained in it and take responsibility for it. We're prepared to do that, but you're not, so you've mismanaged your curriculum out there.

You wouldn't provide the texts, and you don't provide the training time. You could have been doing that.

We could have been talking about that today: how you were going to make up for that lost time, how you were going to deal with the kids that fell behind in that literacy test last year, how you were going to make sure in some form of commitment. We still haven't heard an iota.

In estimates committee this afternoon, \$50 million spent on testing—that's what you're wanting to do—\$50 million, up from \$8 million three years ago, you're spending to test kids, and you don't spend any money on helping kids do better, to make sure that they're going to get their literacy and numeracy, starting with the most basic elements, which we would say you should be focusing on in the elementary grades and the primary grades, a product of that class size but also a product of something you could also be doing. Give back to the community some control over their education. Stop acting like you know it all here. We're sitting in the throes of something that makes that advice sound pretty hopeless to anybody objective and watching. How could this government walk away from this big power surge that they're going through that makes them believe that in their plush chairs in Queen's Park they can control 5,000 schools? In fact, you don't even have to be the Minister of Education to do it; you can be the Ministry of Finance and you can dictate the impact.

Instead, you could have conceded something that every other jurisdiction in the world that has done an excellent job in education has done: the most important thing is to have a motivated, well-trained, well-functioning teacher at the front of the class in a learning community that is well supported, with a great principal. Those are the kinds of things that can happen, and you're getting in the way of that. You could have done that today. You could have granted more power. You could have done what we're prepared to do, which is to take away all those centralizing powers and allow standards to get met in ways that are appropriate for different communities. But you're not going to do that. You could have done that. You could have done that today and you could have gotten applause from this side of the House and probably from most of the province. But it's as if you're stuck in a groove, like your wheel is caught in this ideological lurch and you can't really examine what's good for kids.

You were asked to put students first last December, to deal with the extracurricular thing. The minister said in committee, "What do you think we're up to? What would we possibly be doing to kids in public education when we have kids there?" What were you thinking last year when you passed Bill 74 and you took away extracurricular activities from 400,000 or 500,000 kids in this province? Nobody at the beginning of the year, least of all you, would have admitted that's what you were going to do—take away extracurricular activities. That starts to look mild by comparison with what you're prepared to do today.

You can't do it with your head stuck in the sand. You can't say, "We're forced to do this; there's no other way

to address the needs of the children in this province. This is the best thing we can be doing for them." You can't say that. There's a whole roster of possibilities that we've put forward in our Excellence for All package that you could have done. You're the government right now. You could have made some of these things happen for fall, and instead we're got all these half-hearted measures in Bill 80 taking place in the House.

It's obvious the minister couldn't get any money for education, can't get any support to do things in education—I mean, the minister is still there and she must have a level of comfort, a level of agreement—within your caucus and I guess within this committee, because we're not hearing it from you. There's nobody advocating for public education. You're advocating for private secular schools—brand new entities that you want to see get this credit.

Not one of you will even have—I guess we'll see by the end of the day—the fortitude to stand up and say, "That's what we want. This is what we're doing. We're not going to hide or deny," and actually stand away from the script and say this is what you like. Some of you have said it in your side comments, but none of you have actually given a speech and said, "We want flat-out, individualized competition to take place between private schools, secular schools and these." I don't challenge, because that's for you to see what kind of statement you want to put forward. This is the time. This is not the time to hedge your bets and cut off your statements. If this government has a point of view, you're it. This committee's on the record. If you continue to hide behind the slogans and you continue to hide behind the idea that this doesn't matter, that's something that speaks for itself. There is a better way to go here, and if at least for every time that you've put your advocacy behind this particular reckless measure—the first time anywhere in North America it's been done.

The first four schools we talked to about this were all going to increase their tuition. Did you know that? The first four private schools we asked, "What does this mean for you?" said, "It's great. We'll put our tuition up." Do you know what that means? The private schools are going to get smaller class sizes—yet again, at the public expense—while this week or next week in the Legislature you're likely to vote for Bill 80, which is going to increase class sizes. You didn't have \$100 million to restore some of the cuts that you've made and bring back some of the teachers; instead, you're increasing class sizes. Every other province in the country, every single state, is reducing class sizes and you guys are rushing, pell-mell, the other way. I guess you know better. That's what you're telling us today: you know better; it is a better thing to put a backdoor to public education than try and work out the problems at the front door and see how many more people we can fit into education.

How can we accommodate needs in this province? We can make the best public education system possible. We can give people confidence in that. We can give people a chance to be part of that. But that would have been the

more difficult route to go down. Instead, we're on this branch which I think is going to be a dead end.

The hopeful thing about these hearings and the reaction that's been had from the public is that you may think you get to do this, you may think you get to pass it, but you know at the end of the day it doesn't matter. You aren't going to get permission from the province to go ahead, and therefore the people who are listening and watching and reading the minutes of this should know that they have time to advocate and push even your government away from this and toward the other fork in the road, which is toward excellence for all in this province, excellence for publicly funded education in this province—to stop this kind of misdirection of our attention—toward the things that really matter. There's one thing—

The Chair: You have one minute before we recess.

Mr Kennedy: There's one thing that I think will linger as people see these various manoeuvres we've been through today and in the course of the last 10 days. They're going to understand that it's not a government stepping up to the plate and taking responsibility. This is you shirking, throwing off responsibility, saying to parents—a very small minority of whom have either the religious conviction, which you've continually hid your program behind, or the financial means to walk away from the system—"We give up on you and we'll look at the agent of change as just being that other very small percentage of parents that we hope grows to a larger percentage." It's incredible, really. We're here as public legislators. We're here charged with that responsibility, and for some reason it's fallen flat.

The Chair: Thank you very much. This committee will recess until—

Mr Marchese: Mr Chair, there was Ministry of Finance staff here. From my point of view, we may not need them. I don't know if the Liberals have a similar view with respect to the finance staff. When we come back in the afternoon, my suggestion is that they need not come back.

The Chair: Do we have unanimous consent on that?

Mr Phillips: My only comment would be if they're bringing back the information we requested from them, I would like them to bring that. If they haven't got that, then I don't think we would have a need for them.

The Chair: Do we have unanimous consent on that? OK. This committee is recessed until 4.

The committee recessed from 1201 to 1601.

The Chair: Good afternoon, everyone. It is 4 o'clock, so I'll bring the committee back to order. One short announcement: I did receive a letter from the Minister of Finance. I haven't had a chance to read it myself. The letter is being photocopied right now and will be distributed to all the members. I think we just got the photocopies.

Mr Marchese: They must have been working overtime.

The Chair: I don't know. It's just been delivered, so it will be delivered to you.

Mr Phillips: I've got the United Nations one. Is it as big as this? That's what I want to know.

The Chair: I guess we're on section 41, and the next speaker on my list is Mr Phillips.

Mr Phillips: Just give me half a moment to see what this letter says. It doesn't seem to have—

Mr Marchese: Is there's something missing, Gerry?

Mr Phillips: The government, as we all know, tabled with the United Nations a well-researched brief.

Mr Marchese: Very philosophical.

Mr Phillips: I think they talked about it being supported by affidavits and research papers. That was a mere two years ago, as you know, when they were arguing against it. I'm looking for in this letter, which I just received—

Mr Marchese: It's not there, Gerry.

Mr Phillips: —the research they've done to indicate why they changed their mind. Maybe the parliamentary assistant knows whether that's coming or not.

Mr Hardeman: I'm not aware that there's any more coming than the letter you have here.

The Chair: I'm just informing the committee members that I was handed the letter. It's there for the members' interest and information. With that, I guess you have the floor, Mr Phillips.

Mr Phillips: Thank you very much. We have had a fair debate on this, and I just want to respond to some of the comments that Mr Hardeman made. This is a move that we regard as very significant. To try and suggest that it's a relatively modest step—I think even the minister's letter makes that suggestion. I believe that the Fraser Institute and the National Citizens' Coalition were right when they said this is a very significant move. One said it's the largest move in 100 years in education; the other said it's the biggest, most significant development in education in North America at this time. I would just say, as we move forward, let's not underestimate where we're heading on this. It is dramatic, regardless of which side of the issue you're on, by the way.

The government often says this is not a voucher program, but, again, the presenter for the Fraser Institute, which frankly has studied this a lot, said to us last week, "Make no mistake about it: this is a voucher system." In fact, I gather the way this works is that if you submit a \$7,000 bill showing that's what you've paid for tuition, you get a \$3,500 cheque back from the government, even if you paid no provincial income tax. It's a refundable credit. It's just like a voucher. You submit the \$7,000 bill and the government turns around and sends you a cheque for \$3,500.

Mr Hardeman earlier indicated that public education has not suffered. I just say to the public—and each member can make their own mind up; Mr Marchese has been active in public education—I don't think, frankly, that I've ever seen our school system where the morale in the profession is as low as it is today. I always say—and I think Mr Marchese said it this morning—education is pretty straightforward. It is a motivated, well-trained,

quality teacher in front of a group of students. We've undermined that.

In terms of financial support, I can accept at face value the committee's research staff, who have pointed out to us that on a per-pupil-expenditure basis we have not even come close to keeping pace with inflation. According to the numbers they produced, we're actually going to spend \$75 million less this year, the year we're in, than we did last year. The government says, "Yes, but we had some special one-time funding last year. You can't include that." A big part of that was special funding for fuel costs. Anybody here who believes that our system is going to face substantially lower fuel costs in the next 12 months than they did in the last 12 months is kidding themselves. They had special funding for textbooks, which has been cut out or dramatically reduced.

I believe strongly that this is a huge step down the road. I understand fully the depth of feeling of those who support it, but to me it will fundamentally change public education in Ontario. I also happen to think that once you start down this road there will be enormous pressure for full funding, because that's the basic argument many people used with us, that in fairness they believe there should be full funding.

For all of those reasons, and the ones we've debated over the last few days, I have significant difficulty with this.

Mr Hardeman: On a point of order, Mr Chair: I just wanted to point out that I have a letter here—and Mr Phillips has been talking to it quite regularly—from the Fraser Institute that I will file with the clerk, and it reads:

"To whom it may concern:

"The education tax credit proposed by the Ontario government for private school tuition is not a voucher. It is rather superior to a voucher because it keeps education funding in the parents' hands, where it belongs."

I will file that with the clerk so all members of the committee can have that. I think it clarifies the position that was made by the Fraser Institute in their presentation.

Mr Phillips: I'm sorry, Mr Chair. Did she misspeak herself when she was here?

The Chair: I'm sorry, I'm going to go to Mr Hastings.

Mr Hastings: I'm very enthusiastic and eager to speak on this particular proposition, because we have heard so many bizarre things from across the way.

First off, about the only thing Mr Phillips and I would agree on is that it is an enormously significant policy step because it is a significantly enormously positive policy step. Many people throughout the so-called debate and even prior to the introduction of this concept in the budget bill, Bill 45—there is a history in Ontario of requests being made and studies actually being carried out by various governments. If you go back to the Robarts years, there was a study in 1969 about the role of financing independent schools within the public education system in this province. There was the Shapiro report of 1985, which made some specific recommendations regarding this issue. It's not as if this issue,

as the Liberals are so wont to frame it, is a sudden policy reversal that hasn't got any research. All you've got to do is go to the legislative library and you'll find some. Perhaps he hasn't found his answers to the issue at hand in this specific document, the budget, but I'll leave that as it may.

1610

I was absolutely not surprised by the Gliberal education critic's remark this morning, with the usual mantra we hear from him, the sloppy thinking, as he doesn't want to appear to be negative, which he often is in his attacks on people, whether they are proponents of this education tax credit or not. It has been portrayed as a sop to the wealthy. Well, let's put on the record a few comments to the contrary about that.

The first thing I want to put on the record regarding the tax credit is from Terry and Glenda DeVries. It's a letter we received this morning, and I am now quoting:

"I am writing you this note because I feel that the voice of those of us who struggle with the payments of private Christian education is small and unheard. I am not rich and neither are my kids, but to serve God in the education process of my children is important to us as a family. We have supported through our education taxes the implementation of public education for 15 years, and have never asked for a penny in return.... We, my wife and I, support a system that those of lower income"—and that's the key point I think she would want us to look at in this letter—"who wish to have a private education which lines up with their convictions, would receive a tax break of some sort. I hope that this would be the outcome."

That is a sentiment I have seen in other correspondence, in other submissions and from people I have discussed this issue with at my constituency office. So we automatically reject the framing of this issue as if it were support for wealthy parents only. In fact, it is a support for low-income people who have chosen, many through their own sacrifice, many through their own endurance. I see another letter here where the mother of two children works at two part-time jobs to ensure that she has some choice in the way her children are educated.

What is so wrong with that? Why is it that in this environment today in Ontario everything has to be undertaken under a monolithic enterprise, that there is no diversity outside the public education system? We heard recently one of our submissions, I believe it was last Thursday, which in point of fact related that there is an acceptance, if not a tolerance, for this kind of financing of education in Sweden. My goodness, it's absolutely shocking to think that in Europe, where the Europeans and the continentalists consider themselves highly sophisticated and highly tolerant, you would have that kind of acceptance in the political forum for an initiative. It may not necessarily be exactly the same as proposed in this budget.

If you come back to Canada, you find a similar historic acceptance, differently financed, in the western provinces and in Quebec. If you look at the research of

the existence of these particular schools, these independent private schools—there is research. It was shown and submitted by the representative from the esteemed Fraser Institute that when you have some competition in the system, when you have some comparative benchmarks, one of the inevitable but not surprising outcomes is that you get better performance within public schools in other jurisdictions. Why would Ontario be any different, on the basis of that research?

We come to the central argument made by the critics of this proposal—and I think this was what one of the other proponents related as a myth in his submission—that there is a social divisiveness about this situation. If that were true, then you already have it, actually, because from their fundamental premise, you cannot have any kind of an alternative in education. It has to all be within the public system, because even without the financing of parents choosing to send their children to independent schools, you already have social divisiveness, according to the way the folks across the way weigh in on values.

They use terms like "fragment" and "balkanize." It's like the word "download" we hear so often from the folks across the way, when in fact it was realignment, if you want. To quote the submitter of this proposal in support of the tax credit last Thursday, "balkanize" is an interesting and ironic choice of wording. He went on to point out that Yugoslavia is one system which, under Communist governments for five decades, had such a system, yet it fostered in the end a tremendous ethnic hatred, worse than ever.

I think the argument is over-dramatized, if you want to get into the real debate over the virtue or the negativity of this proposal. I simply wanted to make sure that those particular contentions were dealt with. Now that we have the Gliberal Party so solidly and firmly on terra earth dealing with this proposal that they will decommission it, they will be truly committed to public education in Ontario, it would have been interesting to understand what kind of substantial angst must have gone through the minds and hearts of those who didn't necessarily line up as they were supposed to, like those in the old Soviet command economy, behind their leader's position on this.

I'm just wondering if we will end up with them "solidly supportive of public education," much like the Liberal leader has done in the past regarding photo radar, which he said at one time was a key plank in his own platform during the 1999 election. We had back then quite a history of change of mind regarding where the Glibes stood on this particular public policy issue. First off, they were strongly opposed to it when the NDP proposed photo radar and had it implemented for a while in the mid-1990s. They said it was cash grab. Then a little later, we had certain members who are now present in the Liberal caucus voting against it, I guess on that basis. OK, fine. We can accept that. But then when you look at the evolution of this particular proposal, what happened next? The Gliberal leader decided that photo radar should be brought back, so they switched their

position. There's nothing new about that, because that's their history. Then shortly after that—my time frame may be off, but probably within six to nine months, during the election—Mr McGuinty said that he had “no intention” of putting it forward again. So they were opposed. That's a third change of mind. They were opposed then. OK, we'll accept that for what it is. Then later on, just about a year later, it becomes a priority again. So they support it.

1620

Now I know people will say, “You're trivializing this particular proposal.” Not so, I don't think. It's pretty clear that within the Grit party there are minor pockets of support for this bold idea. They may not agree with all the details of it, but in general, in principle, they support it.

My contrast to the photo radar change of mind twice is that people, when they go shopping in the next provincial election, had better be pretty careful what they're buying at the political shop of whatever riding they're in regarding the tax credit proposal. They'd better be very careful.

Right now we have the Gliberal leader being strongly opposed to it but, remember, the history on photo radar switched twice. So why isn't there a possibility that they could switch again, or switch for a year and then reshape our budget proposal to something more in kilter with the ideology or lack of ideology across the way on this particular proposal? I think people need to beware.

One could ask, “Where was the research done on the change of mind twice on photo radar?” I don't see any supporting documentation. I'm sure you can find in the literature advocacy on both sides. We have seen through these submissions in the eight days on this particular proposal both those who are in favour of it and those who are opposed to it, and probably some who have changed their minds both ways because of experience over time. So I think it's important to make sure that people know where political parties stand on issues. Circumstances do change; people do change their minds.

Mr Marchese: How often?

Mr Hastings: How often? It's not very difficult when you look at—it's interesting to hear the member of the old socialists speaking up so fervently, or the New Debtors Party. It's interesting to hear where their research was on the reversal on Sunday shopping, as one, or their research and no hearings on the social contract of 1994-95. I just wanted to put those particular items on the agenda.

I used to teach school and one of the things that's interesting to hear from the critics in this so-called debate, very seldom—and I've read through some of the presentations, both for and against, and the folks across the way who spoke on this. They do not associate, or seem to leave out, whatever the intention is, the idea of results, the idea of academic outcomes from the testing that we've undertaken since 1995. Where do we see in the debate—and it links up I think, very much so, to the motivation for parental choice in this whole area of choosing where parents want to have their children go to

school. Where do we see the linkage in the debate over results and outcomes from the tests? It's very seldom mentioned.

We hear from the official opposition the voicing of their deep concern regarding the \$50-million expenditure for tests. They say that there are probably too many or they're too complicated or they're too demanding. We've heard those criticisms, not all from the official opposition but certainly from the various parent groups that tend to not support this particular proposal. But then when you look back at the motivation of why parents decide to take their children out of public schools or never put them into the public schools, this has been going on for a long time.

The 100,000 children who are not attending a public school across this province didn't start in the last few years. It started many years ago, probably 15 or 20, because that's what parents chose. Whether they be religious reasons, values reasons, academic results reasons, they did so. There has been a steady evolution of the number of dissatisfied parents who took their children out of public schools after having them in. We've also seen in this mixture parents who had children in independent schools put them back into the public schools because their economic circumstances required them to do so. They were probably reluctant to do so, but they did.

So you have a cross-culture here of people acting in their own particular interests, in the interests of their children. Somehow or other in this culture there seems to be the outlook or the attitude or the philosophy that you can't tolerate the existence of a parallel system of independent schools, private schools, whatever you choose. You often hear that the tax credit money is not going to the parents, it's going to the institution. That, we know, is factually incorrect but it is often sloppily restated over and over and then it gets people confused as to where the money is going. It's not going to the institution; it's going to the parents.

The Chair: You have one minute to wrap up, Mr Hastings.

Mr Hastings: I simply want to put those things on the record.

The final thing that I want to put on the record is that we have heard from various critics, including the Liberal education critic, that this is not a good idea, that it is an attack—that's the word from the old socialists—on the public schools. But in point of fact, the previous leader of the New Democrats, 20 years ago, had his children going to an independent school. We've had people who are supposedly strongly opposed to this concept, including Mr Kennedy, who is a member with an independent school education; nothing wrong with that. So you have people coming from different backgrounds. But unfortunately there seems to be a deep intolerance, a deep, ingrained attitude that you can't allow different choices to be made in society today; everybody has to be put in the same monolithic approach, and I reject that.

The Chair: With that, I have to bring it to an end. I see our next speaker has just stepped out, so, Mr Marchese, you are next on the list.

Mr Marchese: I think he was trying to slow this committee down.

The Chair: No, you're next.

Mr Marchese: I'm ready.

It was a curious thing to have received this letter from Claudia Hepburn. I quoted her this morning. Do you know what I think? She's watching. I think she's watching this channel; she is. I asked Susan Sourial, the clerk, before she went to get a photocopy, what was the date of this document. She didn't obviously look at it. But I raised it as a way of suggesting that she obviously did that today, and it's dated June 20. That's why I say she's watching this program. She must have heard my comments—she's a very lively character, I could tell—and she decided that she couldn't accept what I had said, that her comments at the committee hearing were that the tax credit functions like a voucher. That's what she said. She couldn't help herself, after seeing this—or one of your staff probably told her that I said whatever I said about her—so she sent you this fine letter saying, "The education tax credit proposed by the Ontario government for private school tuition is not a voucher." She wanted to clarify that. And then she said, "It is rather superior to a voucher..." Like it wasn't enough to say—last week when she came to the functions, she had to clarify and say, "It's far superior to the voucher." She's too much. She's a very impressive young woman. I like her. Anyway, it was a very curious thing that she sent it today, but I wanted to put that on the record.

1630

John, I'm just going to be brief in response to you because I didn't want to say much. So I'll take just a couple of minutes, unless provoked again by other members, and then I might have more to say. We'll see. But otherwise I'll be very brief.

Just in response to the member from Etobicoke North, enrolment in private schools has increased 30% since 1995. That's a huge increase, Joe. Yes, of course people were in private schools, but a 30% increase since you guys came in speaks to our *je ne sais pas quoi*, non? Right? It speaks to something. What it says is that the system is obviously eroded to the extent that people are saying, "It's time to get out. The public system is no good any longer and it's time to get out and go to a private school." They're anticipating the dissolution of the public system. Because of the serious underfunding, people are saying, "It's time to go."

So I say to John, the biggest increase to private school enrolment has happened in your term, and there's a reason for it, which I have already articulated. I probably don't have to repeat it, but you never know, I may have to, because you never know how discussions go here. I wanted to clarify that one.

John Hastings says he's incensed when people say that this is a sop to the wealthy, and then he gives an explanation of that, about how many poor people are sending their kids to private schools. I've got to say to John, for clarification purposes, that the majority of people who will be helped are those who send their kids

to the non-denominational schools. Some 70% of the funding that you people are going to give will go to those non-denominational schools. They're not exactly poor, those people. In fact, John, those people who send their children to non-denominational schools are, yes, middle class, but the majority are upper middle class; I don't mean by education necessarily, but by income. These people are wealthy, John—extremely wealthy—and you're going to give them public dollars even though they don't want our money.

You see, the reason they send them to private school, as I said earlier, is because it's a private club. They don't want you in, John. Even though you're a Tory, they probably don't want you in. And they don't want me in because I don't fit in. We're not part of the club. You understand that. We're not.

Mr Joseph Spina (Brampton Centre): What about the Liberals?

Mr Marchese: I don't know about Monte and Gerry. I can't speak for them. They might have some friends there, I don't know. I suspect they might not take John, or Monte either, but I could be wrong. It's a club. It's a wealthy club of people and I certainly don't want to give my money to them.

But on the record, John, I did say that many of the people who send their kids to the denominational schools, the private ones, are making tremendous sacrifices. I said that in committee. I did do that. They work very hard in their schools and they're not wealthy people. I did say that on a number of occasions. That's why I'm clarifying. I say that the people who are wealthy don't need our support, and that's where the bulk of our money is going.

John, it's a fact. You talk about other people being sloppy in terms of their thinking, but it's a fact. You see, the private schools have the largest enrolment. The denominational ones, the private ones, have fewer students in their schools. I'm saying to you, John, that the majority of people in these private schools go to these non-denominational ones, as a result of which they will get the biggest chunk of the money. I know you nod your head, but it's a fact. So I wanted to clarify that once again.

With respect to the point John makes about other jurisdictions, I think it's a very difficult thing to talk about in terms of comparisons, because each jurisdiction has its own cultural setting, cultural perspective, cultural history, and each and every program is very different. These programs, wherever they may exist, reflect their own history, and I'm trying to reflect my history here in Ontario as well. I'm saying the comparisons you draw are not the same.

With respect to the competition, John, you argue that competition is going to make things better for the public school. I'm not sure. I've argued in committee that your underfunding is making it harder and harder for your former colleagues—because you were a teacher once. It is making it harder for them. And it's making it

extremely harder for the parents and extremely harder for the students.

Mr Spina: That's an ambiguous statement, "extremely harder."

Mr Marchese: Sorry?

Mr Spina: Your grammar is poor.

Mr Marchese: Thanks, Joe.

John, you understand that every time you take the kind of money you've taken out of the system, it is going to hurt public education. It is hurting them now. We've heard the deputants. You were at some of them. You've heard the level of frustration and anger of some of the parents in terms of what you're doing; anger from teachers and trustees and board representatives in terms of what you're doing with respect to the cuts.

What I want to say to you is that I'm not afraid of the competition. In fact, our public school system does well in spite of the chronic underfunding they face with you. The problem we are facing now, John, with your proposal, is that you're going to give these people money to continue to support the private sector, which will continue to sort out who it will accept in its system and, then, because they're paying the fees they're paying, will continue to have class sizes that are much smaller than our system.

As you know, John, as a former teacher, class size does help. The smaller it is, the easier it is for a teacher, unless of course you're lazy and you don't want to work. If you're a lazy teacher and you don't want to work, whether you've got 15 or 25, the result is likely to be the same. But if we are assuming that the teacher is dedicated and you've got 25 versus 15, the outcome, as you know, John—well, if you were in the school, you would know. If you were teaching the class, you would know that if you've got 15 and you're a good teacher, the product or the result will be better. But if you're a teacher who doesn't care much about the outcome, whether you've got 15 or 25 may not make much difference. But I claim the majority of teachers are good teachers who do a good job for our students.

I say that we do a very good job in spite of the chronic underfunding relative to the private system. I've got no problem with that. Except I'm saying to you, John, that you're going to help the private sector do an even better job in terms of the people it sorts out, in terms of the students it accepts and those it rejects, those it will not take. It will continue to have class sizes far smaller than ours so they'll be able to do OK. Thanks to you, John, Ernie, Joe and Tina, for the good help you're giving all those lovers of private sector education. God bless them. You've done well for them. They're really going to like you. We heard it. Except, as I said, the non-denominational schools, I don't think, sent in their—

Mr Spina: They did.

Mr Marchese: Did they? Who applied, Joe?

Mr Spina: The Montessori schools.

Mr Marchese: OK. Two Montessori schools came. That's good.

Mr Spina: And the associations.

Mr Marchese: I don't see any of the other private schools, the ones that I mentioned, like the Upper Canada College types.

Mr Spina: It doesn't make any difference.

Mr Marchese: Oh, yes, it does. The bulk of the money is going to them, Joe Spina. Anyway, I'm tired of this discussion, so Monsieur Beaubien, merci.

Mr Phillips: I just wanted to comment on Mr Hastings's comments about some of the comments the opposition have raised. I think those members on the committee who were here when I was asking questions will remember that, I think virtually every time, my questions and my comments were framed by the government's brief to the United Nations and the things the government said two years ago when they made this presentation to the United Nations. I always use that language because it's language that I assume the government believed at the time.

1640

I just repeat, Mr Hastings. I've read this comment often, but it says:

"The state party"—the Ontario government—"submits that one of the strengths of a public system of education ... is that it provides a venue where people of all colours, races, national and ethnic origins and religions interact and try to come to terms with one another's differences.... In this way, the public schools build social cohesion, tolerance and understanding.

"Extending public school funding rights to private religious schools will undermine" this ability and may "result in a significant increase in the number and kind of private schools.... This would have an adverse effect on the viability of the public school system, which would become the system serving students not found admissible by any other system.... Such potential fragmentation of the school system is an expensive and debilitating structure for society."

Moreover, "extending public school funding rights to private religious schools could compound the problems of religious coercion and ostracism sometimes faced by minority religious groups in homogeneous rural areas of the province. ...the majority religious group could reintroduce and even make compulsory the practice of school prayer and religious indoctrination. The minority religious groups would have to either conform or attend their own, virtually segregated schools."

To the extent that "...funding of private schools enables such schools to supplant public schools, the government objective of universal access to education will be impaired....funding of private religious schools is likely to lead to increased public school closings and to the reduction of a range of programs and services a public system can afford to offer."

It "would have a detrimental impact on the public schools, and hence the fostering of a tolerant, multi-cultural, non-discriminatory society in the province, thus undermining the fundamental rights and freedoms of others."

Where the word "tolerance" and those other words came from—those are not words that I invented—is the language the government used in its proposal to the United Nations two years ago when they were arguing against it. So I've always used that language. I've read it. It's safe, because it's government language.

The question always has been, what has caused the government to change its mind now from a position it held firmly two years ago? I've not seen the evidence. I simply wanted to get that on the record, because it implied that this was language that I believed would lead to intolerance and things like that and I merely wanted to remind that it's the government language I quoted directly from their document.

The Chair: Thank you very much. Any further questions or comments on section 41? If not, I shall put the question on section 41.

Shall section 41 carry? All those in favour? Opposed? Motion carried.

Mr Marchese: Can we have a recorded vote?

The Chair: Too late. On section 42 are there any questions or—

Mr Marchese: Can I just ask, Mr Chair, did we have a recorded vote on section 41?

The Chair: No, you were too late for that. You have to be in your seat to request it. Now, if you want to request it for section 42, you're in your seat.

So is there any comment, discussion on section 42? If not, I'll put the question on section 42.

Shall section 42 carry?

Are you requesting a recorded vote, Mr Marchese?

Mr Marchese: No. It was section 41 that I had requested a recorded vote on before.

The Chair: Well, I'm sorry. I think you know the procedure. You weren't in your seat.

Mr Marchese: You don't have to repeat it. I heard you.

The Chair: Shall section 42 carry? Carried.

Since the amendments have all been removed, do you want a vote on each section or can I collapse all the sections?

Mr Kwinter: You can collapse them.

The Chair: Shall sections 43 to 255 carry? Those in favour? Opposed? Carried.

Shall the short title of the bill carry? Carried.

Shall the long title of the bill carry?

All those in favour? Opposed? It carries.

Shall Bill 45 carry?

Mr Marchese: Recorded vote.

Ayes

Hardeman, Hastings, Molinari, Spina.

Nays

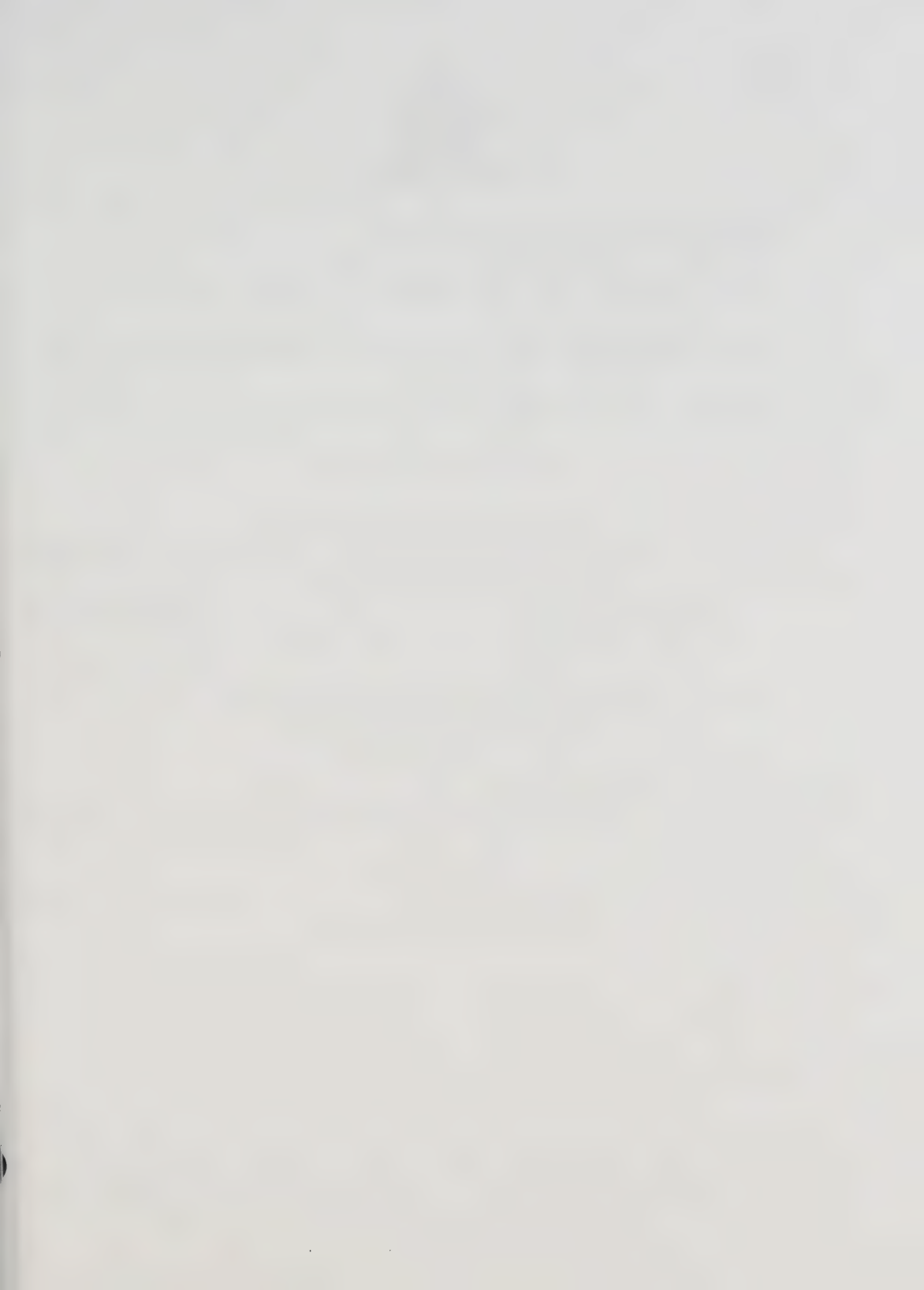
Kwinter, Marchese, Phillips.

The Chair: The motion carries.

Shall I report the bill to the House? Agreed.

Unless there's any other order of business, I will declare this meeting adjourned.

The committee adjourned at 1646.



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Second Session, 37th Parliament

**Assemblée législative
de l'Ontario**

Deuxième session, 37^e législature

Official Report of Debates (Hansard)

Thursday 29 November 2001

Journal des débats (Hansard)

Jeudi 29 novembre 2001

**Standing committee on
finance and economic affairs**

Subcommittee report

**Comité permanent des finances
et des affaires économiques**

Rapport du sous-comité



Chair: Marcel Beaubien
Clerk: Susan Sourial

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LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

STANDING COMMITTEE ON
FINANCE AND ECONOMIC AFFAIRSCOMITÉ PERMANENT DES FINANCES
ET DES AFFAIRES ÉCONOMIQUES

Thursday 29 November 2001

Jeudi 29 novembre 2001

The committee met at 1009 in room 228.

SUBCOMMITTEE REPORT

The Chair (Mr Marcel Beaubien): Good morning, everyone. If I could get your attention—

Failure of sound system.

The Chair:—some type of decision today. So with that, as I said, the subcommittee report is in front of you.

Mr John O'Toole (Durham): Mr Chair, I would now like to move adoption of the subcommittee report. Am I supposed to read it into the record or something?

The Chair: Yes, I think it should be read.

Mr O'Toole: Could you give me a copy? Mine has been all marked and scratched. OK.

If I may, with your indulgence, move the subcommittee report of the standing committee on finance and economic affairs:

Your subcommittee on committee business met on Monday, November 26, 2001, and recommends the following with respect to Bill 125, An Act to improve the identification, removal and prevention of barriers faced by persons with disabilities and to make related amendments to other Acts, 2001.

(1). That an advertisement be placed in the major paper of each of the cities to which the committee intends to travel. That advertisements be placed in both English and French papers, if possible.

(2) That 18 to 20 hits over one, two or three days be placed on radio stations with the greatest audience in each of the cities to which the committee intends to travel.

(3) That an advertisement be placed on the Ontario parliamentary channel and on the committee's Internet page.

(4) That the deadline for people to submit their requests to appear for Ottawa be 5 pm, Wednesday, November 28, 2001.

(5) That the advertisement that was placed in the Ottawa papers be changed to reflect the new deadline; if this is not possible, that a new ad be placed.

(6) That the advertisements include information that the witnesses may submit expenses for reimbursement.

(7) That the deadline for people to submit their requests to appear in all other locations be as follows: 12 noon, Thursday, November 29, 2001, for Windsor; 12 noon, Friday, November 30, 2001, for Toronto; 12 noon,

Tuesday, December 4, 2001, for Thunder Bay; 12 noon, Wednesday, December 5, 2001, for Sudbury.

(8) That, if needed, each party submit a prioritized list of witnesses for each location that the committee intends to hold hearings.

(9) That groups be offered 20 minutes in which to make a presentation, and individuals be offered 15 minutes in which to make a presentation, subject to their needs for assistance in making a presentation (to be determined by the committee clerk in consultation with the Chair).

(10) That any assistive devices that are needed be provided by the committee.

(11) That the committee meet from 9 am to 5 pm, subject to the number of presenters, in Ottawa, Windsor, Thunder Bay and Sudbury.

(12) That the committee meet from 9 am to 12 noon and from 4 pm to 6 pm in Toronto on December 4 and 5.

(13) That the deadline for amendments be 12 noon, Monday, December 10, 2001.

(14) That the deadline for written submissions be 5 pm, Friday, December 7, 2001.

(15) That the committee clerk can begin implementing these decisions as soon as Bill 125 is referred to the standing committee on finance and economic affairs and is authorized to release the information as soon as Bill 125 is referred to committee.

The Chair: Mr O'Toole has moved and read the subcommittee report. Is there any discussion?

Mr Ernie Parsons (Prince Edward-Hastings): Just a question; I'm certainly not challenging it, but a question on the item that refers to "if needed, each party submit a prioritized list of witnesses." I'm just wondering how that works technically, when we would have the names, for example, of who was taking an interest in Ottawa.

Clerk of the Committee (Ms Susan Sourial): The list for Ottawa was sent out last night, after the 5 o'clock deadline.

Mr Parsons: By e-mail?

Clerk of the Committee: I faxed it out.

The Chair: It's in this morning. I received mine and Mr Martin has his.

Mr Parsons: We're literally having troubles with our fax machine, so I will go back and confirm. I may need another copy from you, but thank you.

Mr Tony Martin (Sault Ste Marie): Just a couple of questions. I note that an advertisement will be placed in

the major paper of each of the cities to which the committee intends to travel. I guess I'm wondering how those people who aren't in those cities and who want to come and present will hear about this. For example, although it's not going to be a problem because we've put it out, there's a whole bunch of people in the Soo who want to present. I'm not sure what arrangements have been made to this point, but they've been in contact with the clerk. But if I wasn't organizing that and we weren't advertising in the Soo paper—certainly the Sudbury paper would not get to the Soo. They could get the parliamentary channel, although it's kind of hit and miss these days. It's a channel that doubles with the school boards to give out information, so sometimes it's on and sometimes it's not. I'm wondering if we've thought at all about how those communities that are far enough away from the centres we're going to that they wouldn't get their newspapers will find out about the committee hearings.

The Chair: Usually the newspapers in the larger centres have a distribution centre that covers probably, I don't know, a 50-mile, 60-mile, maybe a 30-mile radius around the city. There's no doubt you make a valid point that if you live in Dubreuilville, it probably would be very difficult, although they do get the Soo paper. But it would probably be difficult. There's a challenge, but there are always challenges.

Mr Martin: But it won't be advertised in the Soo paper, it will be advertised in the Sudbury paper, and the Sudbury paper doesn't go anywhere near—

The Chair: So it would be Sudbury and—

Mr Martin: Thunder Bay, yes. So there are a lot of communities out there that won't be touched.

The Chair: It's not a perfect system. That's all I can say. This is something we discussed, as you're aware, at the subcommittee, that we would try to reach as many people as we possibly could. It's posted on the site, it's advertised in the newspapers where we're travelling and, as you said, you're doing all you can as a member for your constituents in that area. I'm sure the other members are probably doing the same. I don't know what else we can do.

Mr Martin: I just want to mark it as a problem. I'm not sure what else you can do either, other than advertise across the province, although it's certainly too late for Ottawa. It's probably too late for Windsor, because you've probably already done your advertising for Windsor. Is it too late for Thunder Bay and Sudbury? That's the area where I think, in terms of circulation, the distance often precludes the Sudbury and Thunder Bay newspapers from going into big chunks of that part of the province. Is there anything we could do to make sure all of the communities in the north know that this is going on?

The Chair: As I pointed out, this is a subcommittee report. It probably should have been raised at that particular point in time. If we wanted to advertise in different newspapers, it probably should have been discussed by the subcommittee when we met—what date was it that we met?—on November 26.

Mr Martin: Could I make a motion, then, that particularly in the north, where communication isn't always at its best and the distances are so great, we advertise in the Sault Star, the Timmins newspaper and the North Bay newspaper? I think that would probably cover the rest of the province, because the north is hived up. The North Bay Nugget covers a certain area, the Sudbury Star covers a certain area, and the Sault Star covers a certain area—and Thunder Bay. Those are the other major centres.

Mr Joseph Spina (Brampton Centre): You meant Timmins, Tony? You said Thunder Bay.

Mr Martin: Yes. What I meant was Sault Ste Marie, Timmins and North Bay. Those are the three major centres that have major papers, and that would hit everybody.

The Chair: Mr Martin has moved an amendment to the subcommittee report that we advertise in the Soo, Timmins and North Bay papers. Is there any further discussion? Do I have unanimous consent on it? Agreed? OK.

1020

Mr Martin: I appreciate that.

Another question on numbers 9 and 10 in terms of somebody who comes forward presenting with some challenges in terms of presentation, and the 15 minutes. That's the first question. I take it from here that we are going to be somewhat flexible, to make sure that somebody who needs to have interpretation—it may take twice as long, because in some instances there may be interpretation both ways.

The Chair: We don't have a problem so far with the presenters in Ottawa. I think we'll be able to stay on schedule because the clerk has already contacted these people. With regard to the other communities, you're correct. I think it was the intent that we would be flexible with the time we would allocate to some individuals if there's a problem or a challenge.

Mr Spina: Just to assist, I think item 10 in the subcommittee report indicates that assistive devices needed would be provided. Also, I think there was another element here that referred to assistance that would be required.

Mr Martin: For travel? Yes, there is.

Mr Spina: That they "may submit expenses for reimbursement." That's in number 6. I thought those pretty well covered or at least addressed those needs.

Mr Ernie Hardeman (Oxford): I misunderstood, then. I thought Tony's question was more that if an individual came in and what normally would be a 15-minute presentation takes half an hour because of the devices and the process he has to use, we agreed we would be flexible on that time. I think in the discussion we also agreed we would then have to be flexible, as a committee, on shortening some of the other times for our questions in order to make sure that all those who had been scheduled to appear would get time to appear. Obviously if, for whatever reason, you extend one, you have to find that time somewhere else. Or if you extend

two or three, then all of a sudden you get to the end and there isn't time to get in those who have made application, have been accepted and were asked to come and present. My understanding was that we were going to try and be flexible to facilitate anyone who had a disability and required more time, and we would work together to work around that.

The Chair: For instance, in Ottawa there are a couple of individuals who will be presenting who do require some additional time. That has been implemented in the agenda that you have in front of you. The clerk has already discussed how much time they would need to make their presentation, so that's taken into consideration.

Mr Parsons: When I raised the issue, I felt that item 9, "offered 20 minutes ... subject to their needs for assistance in making a presentation," gave the Chair the flexibility to vary the time.

Mr Martin: I do have some difficulty with shortening somebody else's time. This is their opportunity to say their piece. If they're only getting 15 minutes to begin with and you shorten it to 10, and they've travelled the distance to do that, it will probably seem to them that we're not really interested in everything they have to say.

I make that point to make another point, which is one that Mr Parsons and I have been making since we found out we were going to be doing these hearings as quickly as we are and trying to get them in before Christmas. It just makes it really difficult, in the time we have, to hear from everybody and to make sure that we do provide that flexibility. I realize, Mr Hardeman, that we're going to try as best we can, and we'll co-operate with that, given the short timeline, but it's unfortunate that the timeline is so short.

Mr Hardeman: I was not inferring that we had agreed that the presenters would be cut short from their presentation; it would be the accommodation that if they have 15 minutes and they spend seven minutes making their presentation, the Chair would be able to recover some of the time taking away from us, not from the presenters. So I think it's to accommodate, to try and make sure that for those who need the extra time it will be there. If it's being arranged prior to the hearing to say, "I can't make my presentation in 15 minutes," then I think that can be timed in as it's being done in Ottawa. But if they come in at the last minute, they have 15 minutes and they can't get it done in 15 minutes, I think we should be considerate enough to let them go for 20 minutes or 25 minutes. But we'll have to find as best we can, to accommodate, that time in the rest of the day.

Mr Spina: I'm happy. This is at the discretion of the Chair and the clerk to discern whether more time is need. That's always been the case in most committees. I would trust the clerk, with the Chair, to use discretion, and if it's something beyond the usual amount of discretion, the Chair asks us for unanimous consent. Any of us would be stupid not to give consent if someone who needs more time. I agree with you, Tony. We shouldn't be restricting

other presenters if someone took a little more time. I'm happy to trust the Chair and the clerk on that.

The Chair: Any further discussion?

Mr Martin: Yes, just a couple of other questions. On the issue of assistive devices, have we been able to secure and tie down the devices that we need, the interpreters or whatever?

The Chair: I'll let the clerk explain to you, because she's been working very diligently on this issue.

Clerk of the Committee: For Ottawa we've got three sign-language interpreters arranged and one what is called an intervener because one of the presenters is deaf-blind. So far I have one sign-language interpreter for all the other locations and I'm working on getting two more for each location. In all the other locations, we will also have real-time captioning. Unfortunately, we don't have that for Ottawa, but we will have it for all the other locations.

Mr Martin: OK, and are we going to need the real-time captioning in Ottawa? Will that be a big problem for anybody?

Clerk of the Committee: It's hard to say. None of the presenters are hearing-impaired. However, I don't know who in the audience will be hearing-impaired. Although the signers are there, I think the captioning is just a back-up for the signers.

Mr Martin: And just the question of transportation. Have there been any problems there at all? Are we able to accommodate anybody who needs help getting to the—

Clerk of the Committee: So far in Ottawa that wasn't an issue. There was one presenter to whom I offered the transportation, and she said she had a volunteer driver. But other than that there hasn't been any issue.

Mr Martin: In terms of—and I'm becoming a bit parochial here—Sudbury and the fact that we're at Cambrian College, and I'm assuming, maybe wrongly, that the reason we're going there is because it has the facilities to accommodate a number of challenges, are we able to conference with other centres or other areas?

Clerk of the Committee: We're looking into that. Broadcast and Recording is looking into seeing if we can conference with Sault Ste Marie.

Mr Martin: Yes, because the group in the Soo were hoping, and there are a significant number of them, that they might be able to beam in and not have to travel to Sudbury but actually be present via that medium. So you're working on that. OK, that's great, because it would certainly be convenient that the whole whack of them not have to travel, given that it's snowing up there now and we're skiing—a little advertisement there.

Interjection.

Mr Martin: No, not yet. They're working on it. We will be, yes. There'll be big snow machine races this weekend out at Searchmont. Anyway, that's an aside; sorry.

They're hoping in the Soo to be able to beam in and participate in that way, and it would be great if that was

able to be accomplished, so thank you. Those are all my questions.

1030

The Chair: If there are no further comments or questions, I will call the vote on the amended subcommittee report. The amendment is that we advertise in the Sault Ste Marie, Timmins and North Bay newspapers.

All those in favour of the amended subcommittee report? Opposed? That's carried.

The other issue we have to deal with: as you're aware, on Friday, we're going to be in Ottawa, and the list has to be in by noon on Friday for the presenters in other communities. We need to fax that list somewhere. I'd like to get some direction as to who, and we also have to set a time limit to send it back to the clerk, because the clerks have to schedule these people. For the Toronto hearings, we need 10 names and 10 alternates to put on the schedule. In other words, there are more presenters in Toronto than we have spaces available. The deadline for Toronto is noon on Friday. We're coming back to Toronto on Tuesday and Wednesday. If the deadline is noon on Friday, we need to know the presenters that each party would like to have present to the committee on Tuesday and Wednesday. But we must give the clerk a period of time in order to schedule these people. I would suggest that if we fax or provide the list by noon, it probably should be back to the clerk's office by 4 o'clock or 5 o'clock so that they may schedule the presenters on Tuesday and Wednesday.

Mr Martin: When will we get it?

The Chair: We'll get it at noon on Friday.

Mr Martin: On Friday.

The Chair: Where do we send the list? Where would you like the list sent?

Mr Martin: For me, it would be two places. If you could give it to me in Ottawa, I could take a look at it, and if you would send one to our research department, probably Trish Hennessy—no, I'm sorry—if you could send it to my constituency office, care of Sarah Jordison, then I'll connect with them. You want the 10 names back by when?

The Chair: I'm asking for some direction, but I would say we should have it back by 4 in order to give the clerk some time to schedule these people.

Mr Martin: By 4 on Friday.

The Chair: On Friday. It should go back to the clerk's office in Toronto here. That's right. The clerk, Susan, will be travelling with us, so the list should go back to the clerk's office in Toronto here.

Mr Martin: For me, I'm going to be alone on the committee and it's going to be hard for me to take any time away from the committee itself, so I'll need to make sure I get it by noon. I'll do what I can over the noon hour to talk with my staff to get something back for 4. Is that going to work for you, Ernie?

Mr Parsons: That was the only thing that would work for me, I think.

The Chair: So where would we send your list? To your research department here?

Mr Parsons: I would like it to go to both Queen's Park and my constituency office, but it will only work, I think, if I can get a copy at noon.

The Chair: We'll provide you with a copy of it in Ottawa.

Mr Hardeman, where would you like this list?

Mr Hardeman: I won't be in Ottawa, so I would have it sent to my Woodstock office. I'll endeavour to get it to the other people who need it, and hopefully we can get it back to the clerk's office here by late Friday afternoon.

The Chair: You'll undertake to do that, OK. So we need 10 names and 10 alternates, on a priority basis.

Mr Martin: If I said my constituency office, I meant my Legislative Assembly office here at Queen's Park.

The Chair: OK. I think that's all I need. Anything else that members want to raise?

Mr O'Toole: I just want to bring up a question on the record. My itinerary for today is unsatisfactory. I'm not leaving at 11 o'clock tonight. I don't know how come I'm leaving at 11. I'm not sitting around here until 11 o'clock.

The Chair: Tonight, you mean?

Mr O'Toole: Yes.

The Chair: I don't know. We probably can make arrangements—

Mr O'Toole: I would not like to show up at the airport and then have to sit around there either. Is there nothing else, Susan?

Clerk of the Committee: No, it was in consultation with your office. They said that was the only time you were free.

Mr O'Toole: Jeez, 11 o'clock on Friday.

Mr Hardeman: Maybe you were supposed to be doing something else this evening.

Mr O'Toole: No, I've just got my schedule. I'll work with you, Susan, because I'd like to leave with everybody else.

The Chair: The committee is now adjourned.

The committee adjourned at 1035.

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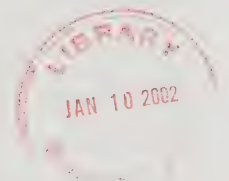
Vendredi 30 novembre 2001

**Standing committee on
finance and economic affairs**

**Comité permanent des finances
et des affaires économiques**

**Ontarians with Disabilities
Act, 2001**

**Loi de 2001 sur les personnes
handicapées de l'Ontario**



Chair: Marcel Beaubien
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LEGISLATIVE ASSEMBLY OF ONTARIO

STANDING COMMITTEE ON
FINANCE AND ECONOMIC AFFAIRS

Friday 30 November 2001

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

COMITÉ PERMANENT DES FINANCES
ET DES AFFAIRES ÉCONOMIQUES

Vendredi 30 novembre 2001

The committee met at 0901 in the Crowne Plaza Hotel in Ottawa.

ONTARIANS WITH DISABILITIES
ACT, 2001LOI DE 2001 SUR LES PERSONNES
HANDICAPÉES DE L'ONTARIO

Consideration of Bill 125, An Act to improve the identification, removal and prevention of barriers faced by persons with disabilities and to make related amendments to other Acts / Projet de loi 125, Loi visant à améliorer le repérage, l'élimination et la prévention des obstacles auxquels font face les personnes handicapées et apportant des modifications connexes à d'autres lois.

The Chair (Mr Marcel Beaubien): I would like to bring the standing committee on finance and economic affairs to order. The standing committee is meeting this morning to consider Bill 125, An Act to improve the identification, removal and prevention of barriers faced by persons with disabilities and to make related amendments to other Acts.

I would also point out that this committee will meet in Windsor on December 4, in Toronto on December 4 and 5, in Thunder Bay on December 6 and in Sudbury on December 7.

MULTIPLE SCLEROSIS SOCIETY
OF CANADA, OTTAWA CHAPTER

The Chair: I would like to invite the first presenter this morning, the Multiple Sclerosis Society of Canada, Ottawa chapter. I would ask the presenters to come forward and state their names for the record. You have 20 minutes for your presentation this morning. On behalf of the committee, welcome.

Mr Bill Morris: Thank you. My name is Bill Morris. I'm the chair of the board of the MS Society, Ottawa chapter. With me are Chris Pomroy, who has been a member of our board of directors and is now a member of our social action committee; and Alf Gunter, who has also spent a long time on our board and the social action committee. They both have long experience with the issues we're dealing with today, having family members affected by the disease.

We have fairly brief remarks today and would welcome your questions following that time.

We represent the Ottawa chapter of the Multiple Sclerosis Society of Canada. MS is the most common neurological disease affecting young adults in Canada, which has among the highest rates of the disease in the world. It is estimated that 20,000 people have MS in Ontario, including 800 in the Ottawa chapter. Among the symptoms of MS are loss of balance, impaired speech, extreme fatigue, impaired vision and paralysis. On a more personal note, I probably know a couple of hundred people within our chapter and I've never met one who has basically the same grab bag of symptoms that I have. So while it is a disease that is by its nature progressive, individuals are diagnosed relatively young in life, so they're dealing with the effects of the disease for a very long time. The bottom line is that for the vast majority the disease has a significant impact on their lives, in fact generally on all aspects of their lives, ranging from education to work, family, housing, you name it. So with that context in mind, we'd just like to impress upon the committee that many of our members could benefit from a strong and effective Ontarians with Disabilities Act.

We thank the minister for all the hard work he has done on behalf of persons with disabilities. Unlike the previous bill that was later withdrawn, we now have proposed legislation that is worthy of constructive criticism.

We are pleased that the definition of "disabilities" is sufficiently broad to encompass all groups which need to be included. We would suggest changes, such as using generic terms, rather than naming specific diseases, but this is only a minor shortcoming of the bill.

We are pleased with the broad definition of "public sector," by including educational institutions, hospitals and municipalities. We do not like, however, that these requirements are being referred to as guidelines or that they will not be subject to the provisions of the Regulations Act. As such, directives of the ministry are not subject to public consultation. If details are to be spelled out in the regulations, such as in clause 22(1)(h), "specifying a time period," we would expect that the draft regulations would be subject to public consultation.

We are pleased that you will establish an Accessibility Advisory Council of Ontario and that a majority of its members will be persons with disabilities. We would like to see the size of this council established, within limits. It must be sufficiently large that all major forms of disabilities would be represented, perhaps from 15 to 24 persons. As an example, the city of Ottawa has established

two advisory committees that deal with issues affecting persons with disabilities: an accessibility committee and a mobility committee. Each has 15 members, and in the case of the accessibility committee, at least, this is no larger than necessary. We are also pleased that you will establish an Accessibility Directorate of Ontario to support the accessibility committee and the ministry.

It is a positive for the broad public sector that accessibility plans are required initially, made available to the public, and that there is a requirement to consult with the accessibility directorate for Ontario ministries and advisory committees for municipalities. As it is not possible to levy fines or other penalties in the public sector, it is especially important that timelines be established for removal of barriers, such that progress can be measured against these plans. Failure to develop schedules is likely to result in good intentions that are never met. It would seem reasonable to suggest that all barriers identified initially be eliminated in stages over a five-year period and that new barriers identified in subsequent annual reviews also be eliminated within five years of being identified. We are extremely disappointed that there are no timelines for removal of barriers in the public sector and, unless amendments are made to provide them, we cannot offer our support for this legislation.

If we have reservations about some aspects of the proposed legislation as regards the public sector, these become insignificant in comparison to those in the private sector, which is specifically excluded from its provisions. Indeed, it is the private sector that presents the most barriers to persons with disabilities, such as this hotel, for example, both in terms of employment and access to goods and services. In countries where the elimination of these barriers has been made mandatory, the costs have not been found to be prohibitive and considerable economic advantages have accrued. Tourists with disabilities from these countries, including the United States, consider Canada a backwater and often do not return. As more persons with disabilities are able to enter the workforce, they are removed from the welfare rolls, pay taxes and purchase more goods and services. Modifications that are put in place to assist persons with disabilities, such as automatic door openers, for example, have been found to be useful to many others: mothers with baby carriages and strollers, persons carrying parcels, and the frail elderly, for example. The economic advantages to society in mandating the private sector to avoid and eliminate barriers are so compelling that it is difficult to understand the position the government has taken.

We regret that we must voice our opposition to the bill at this time, unless you are prepared to make mayor amendments, these to include mandatory requirements, timetables for both the public and private sectors and an enforcement mechanism to ensure compliance by the private sector.

That concludes our remarks. We welcome any questions.

0910

The Chair: Thank you very much. We have approximately two minutes per caucus and I'll start with the official opposition.

Mr Richard Patten (Ottawa Centre): First of all, I welcome the committee here to Ottawa Centre today in this blustery weather. Nevertheless, we hope that the members have the warmth of compassion to listen very carefully.

Thank you very much, gentlemen, for appearing this morning and sharing with us. You will observe a pattern, I expect, throughout the day, a similar response that, "Look, the intentions are there but there's no substance—even if there were incentives, but something on the table that would provide, especially the private sector, some opportunities to move ahead." You referred to the city and its initiatives to try to do something. I think those are two areas.

But I would ask you this: could you be specific? Do you have in your mind something, an example, of what we're talking about? Because the big fear in the government, you know, is this is going to cost the private sector a heck of a lot of money and would make us less competitive etc. Of course, that doesn't really bear out when you scrutinize other examples in other jurisdictions and other countries. Could you give us a specific example of what might occur?

Mr Morris: Sure. Alf Gunter has spent a great deal of time on this area and I'll ask him to respond to your question.

Mr Alfred Gunter: One thing that happened, in this very room about nine months ago we were at a meeting and the gentleman—I can't remember his name right now—who was instrumental in the Reagan cabinet in bringing in the Americans with Disabilities Act spoke to us. He said there was not one business that had gone bankrupt in the United States because of the Americans with Disabilities Act. There are a lot of little things you can do and a lot of it is attitudinal. Bill has mentioned putting push buttons on doors. That doesn't cost a great deal of money. Single-step ramps don't cost a great deal of money.

My wife is in a full-size electric wheelchair. We were in Niagara-on-the-Lake this summer to see a couple of plays. We had a little vacation tied in with an extended-family wedding. One of the three theatres is accessible, and that's the one we wanted to go to, fortunately. But when we started looking for accommodation, we found that even though some of them are listed as being accessible, a phone call tells you, "Oh, yes, our restaurant is accessible, but you can't stay here." We found one bed and breakfast place in the whole area of Niagara-on-the-Lake, that whole area down there. We could have stayed in St Catharines at the Comfort Inn, as we've done before, but we were looking for something a little special, and really it wasn't available.

This lady had gone to a great deal of trouble to make hers accessible, to make us feel comfortable, but it still wasn't very good. We couldn't go into any of the shops.

Of course, they're very concerned about the heritage aspect of the community, but there was no sign on the door saying, "Please ring and we'll put a ramp out for you," nothing like that. Looking at this proposed legislation, nothing is going to change at all. The same situation will exist.

Mr Tony Martin (Sault Ste Marie): Thank you for coming this morning. We appreciate you taking the time to look at the bill and to prepare and present such a concise and, I think, very good critique.

You say, at the bottom of the first page, "As it is not possible to levy fines or other penalties," and then you talk about some timelines. Do you think that the timelines, without penalties, will actually work?

Mr Morris: I think it would be a step in the right direction that might be palatable. It's not really what we'd want to see, but at least organizations, in putting forward a plan, would get more specific about how exactly they would intend to make it happen. As I say, it is not what we would really like to see.

Mr Martin: What would you really like to see?

Mr Gunter: I really don't know in the public sector if there is a great deal more. Of course, we need to be sure that the people who are reviewing these things are sympathetic to people with disabilities. I know these plans are going to be reviewed, that's the way the legislation reads, but I really feel that if you included all municipalities instead of having those under 10,000 being exempt from it, and if you had timelines and you were careful in the selection of the people who were reviewing this, really I feel this is about all you can do. Perhaps I'm saying the same thing as Bill here, but you put a lot of pressure on people to do things and you make them accountable for things they said they were going to do. That's about the only thing you can do in the public sector.

Mr Morris: In my experience as a federal bureaucrat, making additional funding contingent on being program-sensitive is often a way to make things happen, but that is an implementation issue that means that the legislation has to be taken to heart. Timelines sometimes help make that a realistic environment that the centre of government, which is providing money to ministries, can look and see, "Is this done? Does this meet the needs of this program that we're pushing at the moment?"

Mr John O'Toole (Durham): Thank you very much for your presentation this morning. It's important to hear over the next few days from all sectors the response to this discussion on this bill.

I just want to be clear on your concluding remark. You said that you "regret" that you "must voice opposition to the bill," basically for three reasons. You've sort of spoken to them but I'll give you a chance to respond if you wish.

In specific terms, the mandatory requirements, time-tables and the enforcement mechanisms seem to be the three areas that aren't specific enough for you. If you have any advice going forward, either in the legislation

or with respect to the consultation process and advisory committees, I'd be happy to have those on the record.

Mr Morris: I'll ask Chris Pomroy to respond.

Mr Chris Pomroy: Particularly in reference to the regulations, which it appears may be the way in which this will be implemented, it does make reference to time-lines etc in the regulations but there is nothing in the act that says when the regulations will be put into place. It would seem that some amendment or some reference to "the regulations shall be enacted within six months," or something like that would help.

Mr O'Toole: That would be more of the timeline part of it, but in enforcement: do you have any ideas with respect to enforcement? I think I heard you say time initiatives to funding or joint funding or other support mechanisms. Is there any other enforcement? I think the disability parking is probably the best example of something all of us have to consider and there are mechanisms in here to make that a no-no; but it's part of the education that we could improve by educating the public first and then having appropriate responses to that.

0920

Mr Gunter: Actually, it's unfortunate that the big dollar figure went in for disability parking, because we haven't found that, at least in this area, the major issue recently. People are now educated and sympathetic enough that it doesn't happen very often, and when it does, the \$70 fine or whatever it is is sufficient that they're not likely to try it again.

In any field—if you, say, have pollution—there's a fine, and this is the type of thing you need. If you've said you're going to do something, if the law says something has to be done by a certain period of time, be that five years, 10 years, and you fail to comply, there's a mechanism, there are laws, there are penalties, and you just have to decide what they are and go through the normal course to ensure that they're enforced.

I can't be more specific than that. I don't think there's anything special that you would put into any other type of legislation that you would have.

The Chair: With that, we've run out of time. On behalf of the committee thank you very much for your presentation this morning.

ALAN SHAIN

The Chair: Our next presentation is from Alan Shain. I would ask Mr Shain to please come forward; if you could please state your name for the record. On behalf of the committee, welcome. You have 20 minutes for your presentation this morning.

Mr Alan Shain: Forgive the technical difficulties. My parallel parking ability is not that good at 9 am.

My name, for the record, is Alan Shain and I'm presenting as an individual citizen. I believe in the intent of Bill 125, which is to remove all barriers that prevent Ontarians with disabilities from leading full and productive lives, but I do not see how, in its current format, Bill 125 would remove any barriers.

For example, a new bagel shop opened only one block away from where I live. It has one step to get in—a brand new shop. I don't see how Bill 125 would remove that one step, which would cost no more than maybe \$100. If Bill 125 cannot remove that simple, straightforward barrier, then how effective is it?

On a more serious matter, people with disabilities do not have adequate access to medical care and treatment here in Ontario. I'm not talking about specialized treatment. I'm talking about access to basic medical care, things like regular physical checkups and access to walk-in clinics. Most clinics have stairs. Most medical offices are too small to get a wheelchair into. There's only one office in Ottawa which has a lift to transfer patients from their wheelchairs on to the examination table. There are 60,000 people here with mobility impairments.

I don't see how Bill 125 legislates improved access to medical care. The bill allows the government to create a wide range of regulations. However, it doesn't require that any regulations are actually enacted and followed.

I have two main recommendations. The first is that there be specific timelines set down in the bill, as to when these barriers will be removed. Bill 125 currently only provides for plans to identify barriers, not their removal. Specifically, the bill should be amended to provide that the government of Ontario shall become barrier-free within five years of this act coming into force.

My second recommendation is that there be strict enforcement procedures set down within the bill regarding barrier removal, with penalties for non-compliance. Currently, the only specified penalty is for illegally parking in a spot reserved for disabled people.

For example, the section under "government employees" covers accommodation, with respect to interviewing, hiring and promoting of people with disabilities, but this is already covered under human rights legislation. The problem is enforcing these standards within government practices, something which Bill 125 is currently silent on. What body is going to enforce these standards? What will their relationship be to the government of Ontario? How will this body of enforcement be funded?

0930

The requirement of each ministry to draw up accessibility plans, I believe, is new and I like that. But Bill 125 again needs to specify strict deadlines as to when these plans would be completed and implemented; who will review these plans and their implementation; that the disability community directs these plans, not merely advises; that there will be a complaints procedure; and that there will be strict penalties for non-compliance.

These same problems exist with the municipalities' accessibility plans, except that the bill does specify an advisory committee for people with disabilities, which again is good. But it still does not put people with disabilities in the driver's seat. Advice from an advisory committee can be discarded.

Under the section "Other organizations, agencies and persons," the bill provides that a list of actions these

agencies intend to take shall be made available to the public, which again is a good thing. But Bill 125 says nothing about what happens if these actions are not taken.

Under "Restrictions on agencies," Bill 125 specifically exempts private companies. This is a major concern to me. In this era of downloading public services to private companies via contracting out, Bill 125 would actually impact on fewer and fewer services which I rely on to live. For example, in Ottawa, Para Transpo is contracted out to Laidlaw, a private company with its own rules and regulations on how it operates.

In closing, Bill 125's purpose should be the achievement of a barrier-free Ontario for all people with disabilities. It should cover all disabilities, whether physical, mental or sensory. It should not only remove physical barriers, but also barriers to service and attitudinal barriers. This can only be done through the provision of strict time limits that are enforced with heavy penalties for non-compliance.

The Chair: Thank you very much. We have approximately three minutes per caucus. I'll start with Mr Martin.

Mr Martin: Thanks for coming this morning and thanks for what obviously is a very full critique of the bill and a very concise presentation of that critique. I think you hit all the key areas that we've been pointing to since the bill has been tabled. You talk about timelines, you talk about the ability to enforce, you present to us a very obvious example of where this bill also needs to cover the private sector, you talk about the fact that advice from an advisory committee need not be considered—it can be discarded—and you ask the question, what happens if these actions are not taken.

You add an interesting new element here that I hadn't considered and I want you to talk about it a little bit further, and that's the issue of, if it doesn't cover the private sector and we're moving to more privatization of public services, this is a neat loophole to exempt a whole lot of things that we thought might be captured. So this is even worse than first thought in that way. Could you expand a little bit on that issue for me?

Mr Shain: Only to say that, for example, home care attendant services, which many of us require to get up in the morning to go to work or whatever, are progressively more run by private companies. In my experience with Para Transpo, for example, because it's run by a private company, it's that much further removed from public input as to how it's actually run, what's actually going on in its running. So I see that Bill 125's standing back from so-called interference with the running of private companies actually does harm to my needs as a public citizen.

The Chair: We'll go to the government side.

Mr Joseph Spina (Brampton Centre): Thank you, Mr Shain. I agree with our colleague here that you had a very good critique and it was very concise. You hit many of the important points surrounding this bill. I think your simple example of the bagel shop is very pivotal, because

it illustrates perhaps some of the simpler things that could be done very quickly.

You talked about the time frame for implementation. My question is, do you have a suggestion? Could it be done on a phase-in, like government first, institutions second, and large, medium and small businesses sort of falling in line? And would it make sense that a small business like your bagel shop, if it is a simple removal that doesn't cost \$10,000 but closer to what you suggested, perhaps that is something that could be included in the first or second phase? Would that work, do you think, Alan?

Mr Shain: I'm a bit unclear what you mean by phases. I think the public and private sectors could easily work concurrently in the removal of barriers. I don't think the private sector has to wait until after the public sector to begin barrier removal. I think they can go on at the same time. I would urge the government of Ontario to provide a leading example to the private sector and I would hope that the public sector would be ahead in the removal of barriers to provide a good example to the private sector.

I would also say something that I did mean to include in my presentation about enforcement and the method of enforcement. I think a legal entity needs to be created by the bill. This legal entity should be able to operate at arm's length from the government of the day and have adequate funding and resources to ensure that the public and private sectors are following the recommendations of this bill and that this legal entity has the power to penalize those agencies that don't comply. That's something that's not in the bill and I think it's very important that the bill does create this legal entity that has the power and means to enforce the bill itself.

Failure of sound system.

Mr Spina: Thank you, Alan, and good parallel parking.

0940

Mr Ernie Parsons (Prince Edward-Hastings): I found this very informative and you've obviously put a lot of time into it. I would like to follow up on the question about phasing in. You're very clearly, I suspect, not saying that you're prepared to wait five to 10 to 15 years to phase in access to a doctor or to a hospital, or to a grocery store. Am I correct that what you're saying is that the phase-in may apply to a coffee shop but not certain fundamental services?

Mr Shain: Yes, I would agree with that statement. I think what was said before, some kind of phase-in according to the costs of the accommodation, I would find reasonable, but I would not find it reasonable that an accommodation procedure that would cost \$100 to do would take five years to do it. I wouldn't find that acceptable. So, yes, certain types of accommodations do require more time and planning and cost.

The Chair: You have one minute left, if you want to ask another question.

Mr Parsons: In your day, can you give me a rough breakdown about how much time you're looking to

access services from the public sector versus how much of your day is spent interacting with the private sector?

Mr Shain: In my day, I currently am pursuing my master's degree in university, so that's the public sector. I go to school on campus and need that to be accessible. There are certain accommodations like automatic doors. Other accommodations like access to washrooms I have to really search for. What do I do when I need to go and the nearest bathroom is down a flight of stairs? I've developed really good aim. That's not a problem any more. But it could be.

Services within university: I need support for note taking. That's much more of a challenge. It takes me time and energy to find these adequate supports to meet my needs. Within the private sector I rely on Para Transpo, which I guess is kind of in between public and private in that it is a public service but run by a private company. Again shopping and restaurants are—the market here in Ottawa is notorious for its infamous one-steps to get into 80% of stores, restaurants and coffee shops, so I really have to spend a lot of my time looking around to see where I can get in. If you think about that, there are 1.5 million Ontarians with disabilities. Multiply that by four family members who wouldn't go into any restaurant that I couldn't go into. Multiply that again by maybe 10 close friends who wouldn't go into any restaurant that I can't get into. That's upwards of about 10 million people that the government of Ontario is barring from restaurants, stores or whatever. Does that answer your question?

Mr Parsons: That's very good. Thank you.

The Chair: On behalf of the committee, thank you very much for your presentation, and don't lose your sense of humour.

Mr Shain: I'll try. Thank you.

MICHAEL BRADY

The Chair: Our next presentation this morning is from Michael Brady. I would ask Mr Brady to please come forward and state your name for the record. On behalf of the committee, welcome. You have 20 minutes for your presentation this morning.

Mr Michael Brady: Good morning and welcome to Ottawa. My name is Michael Brady. I'm a private citizen. For two and a half years I was a member of the disabilities issues advisory committee of the city of Ottawa. That committee has now been replaced by another one called the accessibility committee. I thought it might be useful to spend some time just relating some of the experiences of our committee, to give you an idea of how effective the municipal advisory committees can be but what roadblocks they currently face that hopefully would be eliminated by Bill 125.

DIAC, the Disabilities Issues Advisory Committee, I think can be looked at as a model for municipal advisory committees. I say this because a lot of the activities that we were engaged in touched many aspects of life in Ottawa, from examination of the accessibility of hotels and restaurants, as Alan has alluded to, to housing,

transportation, accessible cabs, providing awareness to councillors and city staff and presenting annual awards for some of the many things we engaged in.

0950

Among the other things we undertook a couple of years back was to do something on a proactive basis rather than reactive. We thought what we should be doing was to try to remove barriers before they were being created. We thought that if we started reviewing site plans and looking at them in some detail—I suspect that all of you who are familiar with municipal government have seen site plans. As you know, a site plan has to be approved before the building construction actually starts, so our committee undertook to start reviewing site plans to determine how many handicapped parking spaces were provided, whether there were depressed curb cuts, what the elevation was, whether ramps were provided, whether elevators were provided etc. This proved rather instructive for all of us.

One of the first things we found when we encountered a site plan for the St Laurent Shopping Centre, one of the largest shopping centres in Ottawa, which was proposed to be expanded to include an office tower and more shopping space, was that the existing Ottawa city bylaw governing the number of disabled parking spaces was woefully outdated. We found, for instance, that if you had from zero to 99 parking spaces, you needed one handicapped spot, and if you had 400 to 499, you needed four. The bill stopped at that point and said that if you had 500 spots or more, then you needed five spaces. The St Laurent Shopping Centre has 4,100 parking spaces.

So the developer could easily have been in compliance with the bylaw by providing five parking spaces. Instead, the parking requirements were far exceeded. There were 120 spots. They were gathered around the different stores. The developer was quite prepared to add more spots, because we suggested that maybe 4% of the total number of spots would be a good benchmark that he could use. But the developer said, "Listen, if I'm going to provide extra spaces, I need some concessions as well. Since a handicapped parking spot is 50% bigger than a regular spot, give me credit for that extra 50% in terms of my requirement to meet the law. For X amount of retail floor space and office space, you need X number of parking spaces. If I'm going to provide handicapped parking spots, give me the 50% more." We said, "OK. That sounds reasonable." We were prepared to do that, but amalgamation and other matters got in the way of our making recommendations to the legal staff at city hall to prepare new bylaws. They were in the process of harmonizing all the different municipal entities' bylaws across Ottawa and were going to tackle it on a going-forward basis.

The other question that comes to mind is, when looking at the question of parking spaces, what is reasonable? What should be the criteria that govern how many parking spaces? Ottawa at least has a bylaw. There are other municipalities that don't have a bylaw that requires any handicapped parking spots, we found. So what

guideline do you use? We discovered that there were something like 18,000 disabled parking permits, the blue parking permits that folks have, in the former city of Ottawa. Is that a good benchmark?

These are some of the practical problems we ran up against. Hopefully, when resolving these, we'll have a council that would be receptive and would take this into consideration and enact new laws. Under Bill 125, if that power is given to the advisory committee, certainly that would happen.

Among the other things we found when we were doing the audit of the site plan at the St Laurent Shopping Centre was that on the east side we had The Bay anchoring it and on the west side we had Sears. The Bay had all accessible doors. They had washrooms that were user-friendly for all, disabled and non-disabled. They had signage that showed where the elevators were, where the escalators were etc. The Sears store did not have accessible doors. There were 45 parking spaces gathered around the west end of the mall. Disabled persons getting out of their cars, going over to the door, would have to rely on an able-bodied person to open the door for them. They couldn't get in the store. So we talked to the developer and he said, "Sure, we'll do something about that." They made a commitment when the site plan was approved that they would install automatic doors. Well, six months later I went by St Laurent and the door still hadn't been installed. I called and asked what the status was and they said, "It's coming." It did come a couple of months later.

In the meantime I wrote a letter to Mr Walters, the chairman of Sears, and asked them what their policy was with regard to accessible doors, pointing out that their other store in Ottawa, Carlingwood, didn't have accessible doors either. I asked him if he would make a commitment that his company would install automatic doors in a reasonable time frame across the nation, actually. Two months later I still hadn't had a reply, so I sent another letter. On November 9 I had a letter from the vice-president of retail, indicating that they found my letter interesting and they'd like to meet with us to talk about disability issues, because this individual was a member of the Retail Council of Canada. I guess the Eatons store opening and other matters prevailed on the individual's time and she never did meet with us or call us.

I did get another letter in December, however, from the general manager, store planning and visual merchandising, who indicated that the Sears Carlingwood store, which required updating, would be addressed in the summer of 2001. I went by Carlingwood the other day and the store hasn't been upgraded, but Sears has at least installed two out of the five doors with automatic doors.

So the private sector is not incented at the moment to do anything unless they're led to water, like a horse. They won't drink of it unless there's some penalty. For a retail store of this size—and they're not the only one; I used the Bay example at St Laurent as one that's a model, but their Bayshore store is awful. They have no

accessible doors at the second level of their Bayshore store. It's hit and miss, and the businesses will get around to it in time, as they update their stores and modernize them. So there is a need for some enforcement to be in the legislation and some timetable to be enacted. It's not a big deal. An automatic door costs \$10,000, so they told us at Sears, but the architect was flabbergasted that it would cost that much and he said we should all get into that business, because there's a lot of money to be made if it costs \$10,000 for a door.

Looking at it from a business standpoint as well, the Retail Council of Canada could get together and say, "Listen, we're going to not have any advertising on one weekend of the year, and the money we are going to save from that advertising we're going to put toward accessibility." If they did that every year, I'm sure we'd have accessible stores right across the nation in jig time.

We had another example that's illustrative too. Here's Cognos, a big company, international, that makes terrific software. It's expanding in Ottawa and put up a 10-storey building with a parking garage beside it in the south end of the city. The site plan showed that all the parking spaces were outside, none inside the garage. On a day like today you can imagine parking outside rather than inside—not that somebody couldn't park inside, but there's no way of getting access to that garage. Because the developer had to satisfy the concerns about the height of that parking garage, they recessed it and half of the first level is below ground and half is above, so the second level is above grade level as well. We asked the city council, when they were approving the site plan for Cognos, to require that there be handicapped spots in the garage and they agreed. That was a condition for the approval of the site plan.

A year and a half later we went by and did an audit and there were no handicapped spots in the indoor garage. After asking the planning staff why this was, I got no answer, but when I went by recently there were two spots. The spots are between two pillars and they're wide enough, but they're pretty awkward to get in. If someone in a wheelchair, like Alan, wanted to use that parking spot, he'd get out of his van and he'd then have to proceed up the entrance ramp against incoming traffic in order to get to ground level because they didn't put in an elevator. The developers said they were going to put an elevator in that garage; they didn't. So what are we going to do?

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Those are some examples from our history and they're illustrative of the fact that private industry is not going to comply unless there are some regulations and some penalties. Cognos is an international company. They're competing against American companies that make the same software. American companies are governed by the Americans with Disabilities Act. Our friends at Cognos are at a competitive advantage over their friends because they're not installing accessible facilities.

In summary, I think the ODA is a terrific framework for progress. The municipal and provincial advisory

committees can be mechanisms for change. As long as they have the authority to make the change and make it happen, I think we're going to see progress, and we can see it quickly. I think you can assume good judgment on the part of the advisory committees if you give them the authority. These are individuals who are taxpayers, they're employers, they're employees, they realize the economic consequences of their actions, and I think you can expect that they'll be prudent in their judgments.

That's all I have to say. I welcome any questions.

The Chair: Thank you very much. I'd like to correct an error I made. I told you that you had 20 minutes, but apparently it's only 15. But I will still give you the 20 minutes. That will give us a minute per caucus for questions. I'll start with the government side.

Mr O'Toole: Thank you very much for a very active presentation. The examples you gave of ways to engage the private sector, as you have—I think working with chambers, retail councils, is extremely important and there are ways, certainly, for all the reasons that Alan and others have said. It's about customers, it's about customer service, and there should not be barriers. I think we all grow up as we are educated. I appreciate your thoughtful suggestions and observations and I applaud that effort.

Mr Patten: Thank you, Mr Brady, for being here. I found your comments very useful. My question, though, is in terms of this legislation. I don't really see anything that strengthens the municipality's ability to enforce things. For example, you said the approval for the Cognos tower was contingent upon providing some handicapped parking spots, yet it wasn't done. What, then, are the actions of the municipality? In other words, what can they enforce?

Mr Brady: I guess if they were given the power to levy fines for non-compliance and if the fines were stiff enough based on the size of the construction etc, the level of non-compliance, that would be one measure. You could say that all retailers have to have automatic doors or whatever within two years, and if they don't they're going to have a fine of \$5,000 levied on them every year on their municipal taxes.

Mr Martin: Thank you for coming this morning and for your input. You mentioned a couple of things that I just want you to comment on. The advisory committees will be effective, you say, if they have the authority, but you also mentioned if they have a council that is receptive. If they don't have a council that's receptive, then—

Mr Brady: In that instance, the recommendations will fall on deaf ears and nothing will happen. The ODA committee in Toronto, headed by David Lepofsky—I don't know if he has appeared before your committee as yet but he has prepared quite a list of amendments that I wholeheartedly endorse. They provide the authority of the advisory councils to not only make recommendations but to have their recommendations become I guess the force of law, with the power, of course, of the council to modify them, since they're the elected officials. But let's

assume we don't have any bylaw, for instance, that governs the number of handicapped parking spots. A council shouldn't be allowed, for instance, to not have a bylaw that requires handicapped parking spots to be provided. They can't deny that, in my opinion. They could modify it and they could have different scales based upon the size of their municipality, but they couldn't deny the fact that there is a requirement for such. That is what I mean by saying that the advisory council should have the authority, if they make a recommendation that it could be modified, as long as it's such a reasonable recommendation that it can't be denied.

The Chair: On behalf of the committee, thank you very much for your presentation this morning.

CITY OF OTTAWA

ACCESSIBILITY ADVISORY COMMITTEE

The Chair: Our next presentation this morning is from the city of Ottawa Accessibility Advisory Committee. I would ask the presenter to please come forward and state your name for the record. On behalf of the committee, welcome.

Mr Barry McMahon: My name is Barry McMahon. I'm the chair of the newly formed Accessibility Advisory Committee of the city of Ottawa. I'm here today to present comments gathered from the Accessibility Advisory Committee of the city of Ottawa.

Who are we? The accessibility advisory committee is a group of 14 volunteers appointed by city council for terms up to three years. We advise council and city staff on issues related to persons with disabilities. The committee officially meets two hours a month. In reality, the volunteers are called upon to participate much more often, advising on a myriad of topics.

The advisory committee reports through a standing committee, which in turn acts on our behalf to bring forth issues and motions to the attention of full council. This mechanism is facilitated by having a councillor as a committee non-voting member. This councillor acts as a guide and advocate through the sometimes complex municipal political process.

Our mandate is straightforward yet vast. We represent the complete spectrum of disabilities in every aspect of city life. Transportation, housing, tourism, employment, recreation, health and safety are all of concern to the committee. Every age group—youth, seniors and all in between—is considered.

Although the amalgamated city of Ottawa is new, there have been effective disability advisory committees for the past 20 years. It has been over these many years that the province has not given the municipalities much-needed direction. We have been inundated with issues that are outside municipal and fall under provincial jurisdiction.

Ottawa has no wheelchair-accessible taxis. Our buses have only just started to be barrier-free in the last two years. Not a single housing development has been con-

structed with barrier-free access. Many schools are off limits to students, parents, teachers and employees with certain disabilities, and the number of issues raised relating to the grossly inadequate Ontario building code is staggering. Each and every time, we hit the proverbial provincial logjam.

We are guardedly optimistic with the intent of the proposed legislation. We are encouraged that there will be form, structure and content. We have never seen a coordinated effort to make all people with disabilities feel that they are full participants in this great province. In many ways the process will provoke change. We see it being powerful, because for once, it directly involves the people it is supposed to assist. It raises the requirement to include people with disabilities in every aspect of city and provincial life.

Once enacted, this legislation will cause the creation of literally hundreds of accessibility plans in every part of this province. By officially making these issues part of a municipal public document, a whole new level of access awareness will be created.

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The economic cost associated with keeping people with disabilities segregated is enormous and will continue to grow. We're faced with high demand for special care now; imagine the future needs if we don't act immediately.

On the other hand, providing a society that includes people with disabilities directly benefits everyone. We can see the increased number of customers who shop at barrier-free businesses. We see people with disabilities accompanied by their spouses, children, friends, and often just out by themselves, shopping, travelling—1.5 million potential consumers and taxpayers who have been welcomed in some doors and yet turned away from many others. This legislation is all about good business, so we encourage you to go the extra distance and reap the financial benefits.

We ask you to make this ODA as strong as possible so that we here on the ground can start working quickly to make every aspect of our city and our province barrier-free. We ask you and, through you, we ask the Legislature to consider amending certain sections of Bill 125 that will make our task easier.

Subsection 4(2), level of accessibility, should not be there. It permits the guidelines to be as low as the standards of the Ontario building code. It's the weakest link, the minimum that could be used. Even if the code is amended to plug the holes, it has never been very helpful in preventing barriers in the built environment. The building code has many limitations and addresses only a narrow range of barriers. To accept it as a minimum standard beyond which the guidelines need not go would effectively exclude the removal and prevention of many significant barriers.

Section 11, duties of municipalities: section 11 should be amended to allow that every municipality in Ontario be included in this act. Our tourism and recreation industry spreads out of Ottawa to small towns and villages.

Many beautiful towns like Perth are already doing their part in eliminating barriers but will not benefit from the process established through this legislation. Carleton Place is now in the process of establishing an accessibility advisory committee, as I'm sure many other small areas are doing. Shouldn't they be part of this vision? The goal is to create a barrier-free Ontario; therefore, the act must apply to all parts of the province.

Subsection 11(2), the contents: there needs to be a clearer definition of what constitutes a barrier-free plan, such as:

"(2) The barrier-free plan shall include the comprehensive identification of barriers, together with a proposed schedule for their removal, and a description of steps to be taken for the prevention of barriers to persons with disabilities. The municipality's bylaws and its policies, programs, practices and services, as well as the municipal government's workplaces, will be subject to the plan. The plan will be brought to council for approval, together with the annual budget. Council will also receive an annual report following each barrier-free plan approved."

Our committee wonders what will be the consequences for municipalities that refuse to comply. Who takes the heat? What will be the impact on the committee's volunteer members? Are municipalities free to decide who within the corporation will have the responsibility to produce the plan?

Subsection 12(1), accessibility advisory committees: We support the establishment of advisory committees in communities of over 10,000 people. This is a fundamental component of this act. It puts disability issues on the agenda all over the province. It allows each municipality the freedom to focus on their needs, to prioritize and to put a face to the issues. If anything is brilliant about Bill 125, it is this: hundreds of barrier-free plans across the province, each with hundreds of items to work on. If each annual plan is even partially successful, the overall results will be considerable.

On the other hand, the success or failure of advisory committees lies solely in the attributes and talents of its members. An effort to facilitate the work of the committees needs to be made. We recommend training be developed for appointees and councillors so that a level of consistency is maintained throughout Ontario.

Municipalities of fewer than 10,000 people must either establish a barrier-free advisory committee or hold public consultations which include people with disabilities in these plans.

Subsection 12(2), duty of council: There are many instances where programs or services are approved by council. Section 12(2) only addresses the built facilities occupied by the municipality. This section needs amending to encourage council to seek advice on any subject that would have impact on people with disabilities. For example, Ottawa hosted the Games of the Francophonie last year. Very little attention was paid to visitors or athletes with disabilities. Council would have benefited

by seeking and following the advice of its advisory committee.

Section 12 should also be amended to include that all motions to council have an impact statement as per established guidelines, in much the same way it now has for the LACAC and environmental issues. This will ensure that city staff and council are well advised on potential barriers to people with disabilities and appropriate decisions can follow.

Council shall allow for the fact that the accessibility advisory committee is volunteer-driven and cannot be used as free labour. An amendment should be incorporated to define the relationship between the committee, staff and council. The effectiveness of this legislation could otherwise be compromised.

When the advisory committee makes a recommendation to the municipal council, the council shall respond to it within 14 days. If the council decides to decline the advisory committee's advice in whole or in part, it shall provide written reasons for its decision. Recommendations and reports from the advisory committee and responses to these from the municipal council shall promptly be made public. The municipal council shall fulfill all reasonable requests for information by the advisory council within the mandate of the advisory committee's work. Reasonable compensation, including reasonable expenses, shall be provided by the municipal council for the members of the advisory committee.

Section 12 should also be amended to define the link between the municipal advisory committee, the provincial council and the ministerial directorate. Furthermore, the committee should benefit from the establishing of information and communication links to other accessibility advisory committees throughout Ontario.

Section 19, Accessibility Advisory Council of Ontario: An amendment to section 19 should be added to require the council to have an annual general meeting in which a delegation from the municipal committees is to attend. The agenda shall include the tabling of annual reports from the council and the committees. Training and networking will also be included. The AGM would report to the minister.

Section 20, Accessibility Directorate of Ontario: An amendment is required to establish a linkage between the municipal advisory committees and the directorate. The directorate should be established as primary contact and facilitator for the resolution of problems that require cross-ministerial involvement.

We sincerely thank the hearing committee for this opportunity to be involved in this historic legislation. If you see fit to pass this legislation, incorporating the suggested amendments, we will be well on our way to an inclusive Ontario. I thank you very much for your attention.

The Chair: We have approximately two minutes per caucus, and I'll start with the official opposition.

Mr Parsons: I appreciate your presentation. You've obviously put a great deal of time into it. I don't know if you've been here from the very beginning, at 9 o'clock,

but I have a question for you under "Duties of Municipalities." You're referring to the tourism and recreation industry and how it's important that this apply to all municipalities, regardless of size. In an earlier presentation, the presenter used the example that they had gone to a municipality that was under 10,000 and could not get into a hotel and could not get into shops. So I'm wondering, to say it applies to every municipality, I'm sensing you're saying that it should apply to the municipal components of each municipality, but the earlier presenter said that for their quality of life they needed access to private establishments, they needed a hotel room.

Mr McMahon: I'm here speaking only on behalf of the advisory committee of the city of Ottawa and everything that falls under municipal jurisdiction. The promotion of tourism and recreation, and that sort of thing, falls within municipal jurisdiction. However, it really has no authority at this point in time over the private sector.

The access to the support plan that is available for tourism is crucially important for Ottawa, since we make our living in tourism. Also, all you have to do is walk around the Byward Market, which is within the shadow of the American embassy, and on the one hand you have the American embassy, which falls within the Americans with Disabilities Act, and you've got the Byward Market, which has no legislation whatsoever and can operate at its own free will. What happens is that it reflects badly on Ottawa, reflects badly on our economy, reflects badly on people who want to meet in Ottawa, on Americans who want to come to Ottawa, because we don't have the same regulations they do.

Basically, to get back to your question, the act has to have either a straightforward impact on the private sector or an implied impact on the private sector. I think right now it is implied. It should be reinforced, I think, for stronger rules and regulations for the private sector.

1020

Mr Martin: Thanks for coming today and for the work you've done, obviously, in preparing. On the last page you speak about the need for links between municipal advisory committees, the provincial councils and the ministerial directorate. It seems to me that if we're going to have a plan that is uniformly effective across the province, we need something a bit more consistent. Mr Parsons mentioned the reality that communities with under 10,000 people—there are a lot of them, particularly in northern Ontario, that don't fall in the category that's covered by this legislation. If we're going to put a provincial plan in place, it's obvious to me—and this is the question—that resources are going to be needed. If we're going to make places and things accessible to people, where do you think those resources should come from?

Mr McMahon: In the smaller communities?

Mr Martin: Anywhere.

Mr McMahon: It could come from a number of sources. It could come from the tax base. It could come from the private sector. If you have a building and you want to rent it out to the municipal council, to the

municipality, before you get to the municipality you know already that there are limitations to the physical aspect of the building that you can rent. In other words, you would have to make sure it doesn't have a negative impact on people with disabilities before you present that property to council.

It's going to be a multifaceted, multilayered approach. Right now we don't have any provincial vision; we don't have any provincial statement of inclusion. With this legislation I believe it will start, it will be there. So even though there isn't right now a mechanism for funding this sort of renovation and retrofitting of services and places, it will come eventually through public pressure.

If the small municipality calls its citizens into a room and says, "We want to build a new community centre," and if they consult with their constituents, their citizens, and they say, "We've got to make it accessible for my Aunt Martha, who's in a wheelchair," then it's going to happen. But it's not going to happen unless you put it on the agenda. There's the old story: I've been in many restaurants where I've had to go through the kitchen in order to get to it. There's even a community centre here in Nepean where I have to go through the kitchen to go to a wedding ceremony. If people with disabilities are consulted at every level throughout the province, whether it be the small train stop in northern Ontario or downtown Toronto, eventually changes will be made. I think this legislation will force consultation with people with disabilities.

The Chair: I'll go to the government side.

Mr Spina: Thank you, Mr McMahon. You had some very concrete proposed amendments either to the bill or that would be empowered in the regulations that could be included there. We appreciate that input.

I had a question regarding enforcement. Alan Shain suggested that there be a body that would have the power to enforce the laws or the bylaws that would be created for accessibility. I guess this would apply more to the urban communities. Do you think that a bylaw enforcement office could do that job?

Mr McMahon: Yes, I think a bylaw enforcement office would be—there are a lot of cross-jurisdiction problems with enforcement. But as Mr Brady was mentioning, it really is up to local authorities, in many cases, to enforce their bylaws. I'm not sure about an overall enforcement agency. I haven't really thought it through, but I don't know whether it's that necessary. We've got police, we've got fire chiefs, we've got local people who write traffic tickets. There are lots of enforcement agencies. I'm not sure if a separate body would need to be created as an overseer.

Once the mechanism is established at the ground level, at the city level, and once the dialogue starts between the people with disabilities and the decision-makers, then a lot of things fall into place. I'm not too sure about the need for a strong enforcement agency. I think enforcement will come progressively.

The Chair: On behalf of the committee, thank you very much for your presentation this morning.

ONTARIO BRAIN INJURY ASSOCIATION
HEAD INJURY ASSOCIATION
OF OTTAWA VALLEY

The Vice-Chair (Mr Doug Galt): Our next presentation is the Ottawa chapter of the Ontario Brain Injury Association, Teresa Van Dongen. Thank you very much for coming forward. On behalf of the committee, we look forward to your presentation. To begin, please state your name for the sake of Hansard.

Ms Teresa Van Dongen: My name is Teresa Van Dongen. I am the president of the board of directors of the Head Injury Association of Ottawa Valley. I'm here in the capacity of representing both the Ontario Brain Injury Association and our association here in Ottawa.

Mr Chair, members of the Legislature, ladies and gentlemen, it is an honour to speak before the committee today on a subject that is very important to our entire community. I am here representing over 18,000 Canadians, one third of those in Ontario alone, who receive an acquired brain injury every year. I am a member of the Ontario Brain Injury Association and the Head Injury Association of Ottawa Valley, here in our community.

Here are a few facts about brain injury.

Acquired brain injury is the leading cause of death and disability in Ontario for those under the age of 45.

A brain injury doesn't heal like a broken arm or leg; the results may last a lifetime. If you consider the thousands injured each year, and you consider even the last 20 years, you begin to get an idea of just how many people live with these effects every day in Ontario.

Brain injury may be the result of a motor vehicle collision, the cause of approximately half of all brain injuries; falls, particularly among the elderly and toddlers; assaults; and diseases such as meningitis, brain tumours and other illness-related injuries.

Brain injury does not distinguish itself by age, gender or socio-economic status. It could happen to any of us here in this room, at work, on the playing field and even as we drive home from this meeting.

Chances are that there is at least one person whom you work with, know or love who has experienced the effects of this injury, and the effects are devastating. No two brain injuries are exactly alike and may range from mild to severe. Brain injury cuts across all disability groups. Because our brain controls all of our functioning, people with brain injuries may have visual impairments, hearing impairments, speech impairments or mobility difficulties requiring the use of a wheelchair or walker.

The most difficult impairments for family members, friends and even employers to understand, however, are the personality changes and the effects that make it difficult to organize thoughts and remember things that once came easily. These invisible changes present the most difficult challenges to the survivor of acquired brain injury.

What is the Ontario Brain Injury Association? We were formed in 1986. Currently we are linked, with 24 community groups across the province with memberships totalling in the thousands, the Ottawa Valley chapter being one of those 24 community groups. Our 20-member board of directors is made up of survivors of acquired brain injuries, family members, professionals, service providers and business people from every part of the province.

Why are we here today? We're here because we are deeply concerned that all Ontarians have the opportunity to participate as fully as possible in all aspects of life in Ontario, and that's easily identified and understood. The current ODA bill makes an attempt to address these types of participation in the community. The same can be said of some barriers for those with sensory impairment, such as vision and hearing, where it offers to address the issue of government communications in alternative formats.

However, the barriers that are faced by people living with cognitive and emotional impairments are much more difficult to identify and address. I speak of attitudinal barriers that often exclude those living with these difficulties and leave them isolated and open to ridicule and even abuse. We recognize that it is impossible to legislate attitudes and values, but it is possible to have an Ontario disability act that encompasses a comprehensive program of public awareness and education that will move Ontario society toward understanding, acceptance and accommodation of people with cognitive and emotional impairments.

Let me illustrate some instances of these attitudinal barriers. After a recent presentation about acquired brain injury to a Rotary Club in a small Ontario town, one of the audience, a man about 50, approached the speaker and related that the presentation had left him feeling very uncomfortable. He said that he was one of four brothers, and one of his brothers had sustained a brain injury about eight years earlier as a result of a motor vehicle collision. Prior to the crash, these four brothers had worked and played together regularly. Following the crash, the brother who had been injured was very withdrawn, claiming he was just too tired. The other three brothers had seen this as a lame excuse to avoid them and had in turn cut the injured brother out of all aspects of their family life. He ended his story saying to the speaker that his comments about fatigue being a common symptom of acquired brain injury made him realize that they had unfairly isolated their injured brother. This kind of misunderstanding of the effects of acquired brain injury are not uncommon, even among family members and close friends, resulting in isolation and often devastating the person with brain injury.

There are dozens of other instances of misunderstanding that impact daily on the lives of people living with these effects. These misunderstandings effectively limit the disabled person's participation in family life, community activities and employment opportunities.

We recognize that there are no simple or quick solutions to removing these attitudinal barriers. However,

since they are barriers for thousands of Ontarians, not only those living with the effects of acquired brain injuries, but also those with developmental impairments and those who experience mental illness, it is imperative that the government, through the Ontarians with Disabilities Act, provide the will and the resources necessary to develop effective public awareness and education.

In summary, the Ontarians with Disabilities Act does attempt to address physical barriers faced by those with disabilities but it does fall short on its goal to support the right of every person with a disability to live as independently as possible, to enjoy equal opportunity and to participate fully in every aspect of life in our province through the removal of existing barriers.

We have not had enough time to fully analyze this bill and consider its implicates, but after careful consideration we do recommend the following:

We feel strongly that the definition of "disability" include brain injury in its descriptions; that explicit timelines be prescribed for the removal of specific barriers; that the bill have an effective mechanism for enforcement; that the role and authority of the advisory councils be defined and its reports be made public and the disability community be heard; that the bill make provisions for the allocation of resources to raise public awareness and education of the issues faced by those with disabilities in order to further foster a greater understanding and influence attitudes working toward the reduction of attitudinal barriers.

A barrier-free community is a minimum goal to full participation of the disabled in society. Through effective regulation and mandated co-operation with private and public sectors, the Ontarians with Disabilities Act can help deliver broad public awareness and understanding of cognitive and mental disabilities and eliminate all other barriers for disabled persons in every part of Canada's richest province.

The Ontario Brain Injury Association, along with many other similar disability organizations, stands prepared to assist the government through the advisory councils outlined in the ODA to develop the means necessary to remove attitudinal barriers. We look forward to this challenge. The disabled of Ontario are looking for leadership on this issue. Don't let them down.

The Vice-Chair: Thank you very much for your presentation and the thoughtful recommendations. We have approximately three minutes left per caucus for questions. We'll start with the NDP.

Mr Martin: Thank you very much for coming today and sharing those thoughts with us and making the recommendations that you have there. They're fairly consistent with what we've heard so far and certainly what we've heard this morning: the need for timelines, the need for enforceability, and the need for resources to support the enforceability.

Who at this point in time resources the Ontario Brain Injury Association in terms of some of the education campaigns that you carry out?

Ms Van Dongen: One of the primary mandates of the Ontario Brain Injury Association is to provide education to professionals working in the field. Also, they have a rather extensive resource library of written information—articles and so on—and they provide a lot of education through presentations in the community. It's the responsibility of each of the community associations to provide education within their own community as well as what is provided through the Ontario Brain Injury Association, and some of the funding for that comes through the Trillium Foundation and initiatives that the different associations have had from the Ontario Neurotrauma Foundation, as well. There have been some initiatives, particularly in the school system, to provide education. Pediatric brain injury is another issue and prevention is probably the best medicine with regard to brain injury.

Mr Martin: You speak this morning of attitudinal barriers that people with brain injuries run into on a consistent basis, and you talk about a comprehensive education campaign. Your organization is providing, where there is a structure in place, some of that. Could you elaborate more on what it is that you think, with this piece of legislation, we should be doing to make sure that attitudinal barriers are being dealt with and what we would do to provide this comprehensive education campaign?

Ms Van Dongen: Including "brain injury" in the definition within the act would be helpful because certainly it crosses over a lot of different other disability groups, and I think that sometimes it's missed. Often-times brain injury is described as the invisible disability because even though the person may, after an injury, be physically doing quite well and able to return to a lot of their previous activities, cognitively they're not able to participate in the community as they did before. In terms of making sure there's a good understanding of the fact that that needs to be reflected in this act, I think that's really important.

We've looked to municipal government—we've applied ourselves here in the community to the city of Ottawa to try and get some funding as well, because I think through the public health pot we hope to be able to provide some more community awareness and probably look at prevention initiatives there. But certainly I think including brain injury in the definition is something that we've been working with the school boards, for example, to include in their SEAC committees to make sure that brain injury is properly represented within the definitions of special-needs students within the school system.

1040

Mr O'Toole: Thank you, Ms Van Dongen, for your presentation this morning. It certainly did clarify very accurately the attitudinal barriers in this particular area. As you've said, all of us know someone either directly or indirectly. It does really come down to a couple of the points you raised about education and awareness, and I commend the association for doing that relentlessly. I participate in my riding in activities that are for that

purpose, to raise awareness and improve the understanding.

I'm just looking at the definitions in the bill. It isn't precisely stated in there specifically, but is there something in that particular section 2 in the definitions that—it does talk about an injury or disability for which benefits were claimed or received under a workplace injury, etc, so it's implied, if not directly in the words "brain injury." Is there something in strengthening that? I have no disagreement with you at all.

Ms Van Dongen: I think probably "implied" is one thing, because certainly if you look at workplace injuries and that type of thing you could be dealing with mostly physical injury and not necessarily cognitive impairment. I think it's really important to include cognitive, neurological impairment that may result from those types of injuries because that really speaks to the invisible portion of the injury. A lot of times the physical aspect of the injury is more obvious and the brain injury is missed. A person thinks, "There's a person who uses a wheelchair," but that person is also somebody who has short-term memory deficits, who has difficulty organizing their thoughts, who isn't able to return to work because they don't have the organizational skills to be able to do so and that sort of thing.

Mr O'Toole: I'd be happy to bring it forward if there's a clearer definition. You said that no two outcomes are the same for victims of these situations and, as you say, the treatment and/or consequences are different for each individual case, so maybe that's—in the definition of preciseness, you could be exclusive. I'd be happy to receive anything that's more clear, given that it's in itself difficult to define each degree of severity, etc. There are tests and all those kinds of things—

Ms Van Dongen: Right.

Mr O'Toole: —and we try to say, "This is disabled, this isn't," by some test. But I'd be happy to hear that.

Ms Van Dongen: That's great. I will certainly speak with individuals at the Ontario Brain Injury Association and we can come to consensus as a group on those thoughts. Thank you.

Mr Dalton McGuinty (Ottawa South): Thank you very much for your presentation and for being here today.

I'm particularly interested in your reference to the attitudinal element and I would urge all of us here to consider what we might do in government to help address that.

One of the elements of the bill, of course, that is very troubling is that it imposes no positive obligations on the private sector.

Ms Van Dongen: Right.

Mr McGuinty: I'm wondering if you have any views with respect to that and what role the private sector might be playing in terms of helping us ensure that those suffering from the effects of brain injuries can, as you put it so eloquently, participate as fully as possible in society.

Ms Van Dongen: I think probably a willingness, again, to have the information and the education that's

available. A lot of times, certainly for people re-entering the workforce, somebody with a brain injury runs into a lot of different barriers both publicly and privately in terms of wanting to make that extra effort to understand and accommodate individuals. The public awareness and the community awareness piece—the willingness, I think, to let individuals from different organizations who want to educate the community as a whole about brain injury, and any disability group, for that matter—I think that's an important piece.

Mr McGuinty: I gather that the lack of a visible, kind of evident problem makes this a real issue in terms of the challenge you've got to contend with.

Ms Van Dongen: Yes, because when you look at the percentage of people who have a brain injury—you can have permanent disability, but the implication isn't necessarily that it's physical, or that if it's physical, it's obvious. People have a tendency to respond, unfortunately, differently to visible, as opposed to invisible, issues that a person may have. They may attribute the disability to a person having a problem with anger management when in actual fact it's a communication difficulty. Cognitively they can't understand you, and that's why they're becoming frustrated with what you're trying to communicate to them. Definitely, that invisible piece is something that a lot of our members are challenged by.

The Vice-Chair: On behalf of the committee, thank you very much for coming forward. We appreciate your recommendations.

RICHARD THÉBERGE

The Vice-Chair: The next delegation is the Ottawa-Carleton Independent Living Centre. Richard Théberge, come forward.

On behalf of the committee, welcome. Please, for the sake of Hansard, state your name as you begin.

Mr Richard Théberge: It is quite fitting that the next speaker after the one we just had is a victim of brain injury. Indeed, 30 years ago on October 29, when I was just a nine-year-old lawyer, the youngest lawyer ever, I had a brain injury as a result of an accident. I would ask for your tolerance. If you noted the one thing that she said about brain injury victims, they have some difficulty with their thoughts and all that. Also, I would like to add that the best way to deal with brain injury victims, of which I'm one—they're very temperamental—is that you have to do whatever they recommend; otherwise they go into a fit.

Laughter.

The Vice-Chair: Thanks for the warning.

Mr Théberge: I first wish to express to this committee my deep appreciation for this opportunity to indicate, in a constructive spirit both my criticisms and hopes regarding the long-awaited legislation.

Second, I need to make it absolutely clear to the committee that the views I will be presenting here today are mine exclusively and are not endorsed by the OCILC.

When the chairman of Ottawa's accessibility committee, whom you heard this morning, asked us at our last meeting, on November 21, whether any one of us would be making a presentation today, I indicated that I would. For the sake of expediency, the chairman indicated that I would be representing the Ottawa-Carleton Independent Living Centre, OCILC, because he knows that I am involved, both as a member of the board and as a frequent volunteer with this organization. It must be made clear, however, that while the OCILC is engaged from time to time in an individual advocacy role on behalf of individual clients, it is not an organization engaged in collective advocacy, as such. Therefore—I believe I have cut myself of five minutes—I do not represent an organization.

Having said that, as a jurist who has pursued post-graduate studies in law, I have always had a keen interest in administrative law, which deals with the legal limitations on the actions of government officials.

1050

As I was going through the Hansard records of the first days of debate regarding the ODA, I observed several instances where, in response to criticisms that as initially drafted the ODA is unenforceable against either private or public sector organizations, there was a tendency on the government's part to rely on the regulations to provide, in due course, appropriate enforcement mechanisms. I thought it important and appropriate therefore to examine whether the validity of such eventual regulations could be easily challenged by some smart-ass lawyer on the grounds that they exceeded the jurisdiction of the Legislative Assembly. I needed to analyze as a jurist from the precepts of administrative law whether in some respects the delegation of authority by the Legislature amounted in any way to an abdication by the Legislative Assembly of its prerogative to provide substantive rights.

In general, a legislation provides the substance of rights while the regulations provide the procedural aspects of such rights, including the form, the timing and the manner of their exercise.

In recent days therefore I spent some time analyzing objectively how section 22 of the proposed legislation satisfied the principles of administrative law recognized in common law jurisdictions. To test the validity of the regulation, administrative law has three criteria, or three tests: (1) whether the delegation exceeded the jurisdiction of the delegating Legislative Assembly; (2) whether it had the ability to delegate; and (3) whether the delegation amounted to an abdication.

It's dull, I know, but we have to go through it.

One, the jurisdiction of the Ontario Legislature: even if it may seem obvious, the first step in determining the validity of any eventual regulation under the ODA is whether the parent legislation under whose authority any eventual regulation would be prescribed is constitutional.

We can affirm unequivocally that the proposed Ontarians with Disabilities Act relating to the identification, removal and prevention of barriers to accessibility is a

subject matter relating to property and civil rights which falls within the ambit of what the Constitution Act of 1867, as modified in 1982, considers a matter of exclusive provincial jurisdiction.

Ability to delegate, the second point: In Canadian constitutional law, it is generally accepted that, subject to constitutional constraints, both the federal Parliament and the provincial Legislature are supreme or sovereign within their respective legislative sphere of competence. This means, among other things, that the legal maxim "*Delegatus non potest delegare*" does not apply to limit the ability of a provincial Legislature to delegate its legislative powers to members of the executive government or, for that matter, to anyone else if it so chooses. The right of a provincial Legislature to validly delegate matters falling within the sphere of its legislative competence was upheld by the privy council long ago when very few of us were born, in the case of *Hodge v Regina* in 1883.

Third, delegation, not abdication: It is extremely difficult to draw the line between proper delegation and improper abdication of legislative powers, and courts lean heavily in favour of the former. Instances of delegation being held by the courts to constitute impermissible abdication are extremely rare; in fact, I could not find any. However, the general lack of success in applying the abdication principle to strike down does not detract from the importance of having some idea as to what matters must be dealt with by the legislators themselves and what matters must be delegated to others. Indeed, there is considerable concern currently in Canada and elsewhere about the volume and the breadth of delegated powers which have been authorized by all legislative bodies.

In short, in Canada it is generally accepted as a principle—and this is again derived from the *Hodge* case over a century ago—that, short of a permanent or near-permanent divestment of the legislative body's power to make laws and to supervise the exercise of delegated functions, even very broad delegations are lawful. In other words, the Legislature may delegate, but as long as it retains some power to take back the powers, the delegation of authority will be found lawful.

Now we get to the crux of the matter, proposed section 22 of the ODA. Applying these three criteria to proposed section 22 of the ODA, one could easily conclude that the validity of any eventual regulation made by the Ontario cabinet or Lieutenant Governor in Council would be undisputable. As such, we find it highly unlikely that any delegated legislation, as regulations are sometimes referred to in the world of academia, would be found ultra vires, or invalid, on the grounds that (1) the ODA clearly falls under provincial jurisdiction; (2) the Legislative Assembly of Ontario has the ability to delegate; and (3) despite this delegation being very broad, it does not constitute an abdication by the Legislative Assembly of its prerogative. Rather, section 22 is to be regarded as translating the government's intention to have the accessibility rules designed largely by the disability community, as opposed to having them largely determined by the Legislative Assembly.

One of the corollaries to be derived from the government's commitment according to the literature of its program Independence and Opportunity, unveiled on November 1 by Minister Cam Jackson, is to put the disability community in the "driver's seat." In this connection, I would also like to remind the committee that the Legislature unanimously approved a couple of years ago that the ODA would include 11 principles, including principle 7 requiring that, "As part of its enforcement process, the ODA should provide for a process of regulation-making that ... include a requirement that input be obtained from affected groups such as persons with disabilities before such regulations are enacted."

As presently drafted, section 22 of the ODA doesn't cut it. There is no requirement to involve the disability community in the drafting of the regulations or simply in receiving its input.

I have brought with me other suggestions for amending section 22 and explaining the rationale of each proposed amendment. With the committee's permission, I respectfully submit these proposed amendments to their attention.

I had the pleasure of meeting Mr Jackson when he came to meet the city's new advisory committee on October 22. Following this meeting, I met with Mr Jackson privately and discussed, for perhaps 15 minutes while I was waiting for Para Transpo, the impending ODA. I told Mr Jackson how excited I was about the future legislation and that I truly sensed and appreciated a genuine commitment on his part to do what is just and to really contribute to improving the life of disabled persons in Ontario.

On November 7, after I had read the proposed ODA but before I had had a chance to examine it in detail or discuss with anyone its contents, I wrote to Mr Jackson a letter congratulating him for what had the potential of turning into exciting, trail-blazing legislation.

Gentlemen and ladies, this proposed legislation places the disability community in a difficult conundrum. In the absence of any current legislation designed to remove barriers to accessibility, many members of our community worry that by asking for too many changes to Bill 125, we run the risk of seeing it withdrawn and, in so doing, with the impending campaign to replace the retiring Premier and the elections to come in due course after that, we risk seeing an opportunity like the present one put off again for several years. On the other hand, there are those in the community who want to seize this unique opportunity to really improve life in Ontario for the disabled and who argue that, having gone this far, the government would not dare withdraw this legislation.

Ladies and gentlemen, the stakes for the disability community have never been this high. With the time allocation which has been approved by the Legislature to dispose of Bill 125, it is obvious that a lot has to be done between now and December 12. But I am confident that you will find the courage to do whatever is necessary to bring this to fruition because it is just, because it is right and because it is imperative.

1100

The Chair: Merci, monsieur Thériège. We have approximately two minutes per caucus. I'll start with the government side.

Mr O'Toole: Thank you, Mr Thériège. I appreciate your presentation and your thoughtful review from the perspective of a trained lawyer, which I'm not.

Mr Thériège: It sounded scientific, eh? We don't get many chances, as lawyers, to sound scientific.

Mr O'Toole: Just looking at some of the background paper, I'd put on the record that the independent living approach recognizes the rights of citizens with disabilities to take control of their lives by examining choices, making decisions and even taking risks. I think that's an extremely progressive attitude toward getting on with life and just needing accessibility addressed.

I want to ask a specific question. You questioned the regulations section, which is section 22, and there are a number of subsections in it. I'm not, as I said, a lawyer, but in my reading it's very broad. It gives the LG the power to make regulations in a specific, broad range of inclusions and exclusions. But in subsection 22(6), "Adoption of codes," it does say, "If the Lieutenant Governor in Council is satisfied that, at the request of the minister, the Accessibility Directorate of Ontario has consulted with the persons and organizations that the minister directs"—so in other words, it implies to me that there is consultation in the making of regulations, which is something you said maybe wasn't strong enough in that regulations section.

Mr Thériège: I would hope so. My understanding of the concept behind the accessibility council which would advise the minister would be to assist him, initially at least, at first, to advise him as to what regulations need to be made in order to make this legislation enforceable. But the point is that the regulations—one would assume that, but I was thinking of, more than simply arriving at that by deduction, having it written, especially in section 22, which is the perfect place to indicate that before any regulations can be made, the disability community has to provide input and has to be consulted.

I worked for the federal government for over 25 years, and there's a procedure whereby, at least in the field of commercial lobby, before any regulation comes into force, it is published for 60 days or so and comments are invited and all that. So the amendments we propose would not only require active consultation and input from the disability community, but would also require the ministry to publish such eventual regulations for a period of 90 days so that people can think about it, and if there's a request after 45 days by any disability group, the ministry would have to hold hearings on the proposed regulations. So this is a mechanism which has to be expressly provided to our satisfaction.

Interjection.

The Chair: No, sorry. I have to bring it to an end and I have to go to the official opposition.

Mr Parsons: Thank you for your presentation. I took one law course, which is just enough to make me dangerous, but not necessarily constructive.

Mr Garry J. Guzzo (Ottawa West-Nepean): But did you pass it?

Mr Parsons: I did very well, and that's why I realized that wasn't my calling.

Mr Guzzo: That may put you ahead of some of us.

Mr Parsons: I'm interested in the lawyer's perspective. As I read the act, I read about the Accessibility Advisory Council of Ontario, the Accessibility Directorate of Ontario and the accessibility advisory committees. My first grasp from the law course was that the law says, "Thou shalt," and, "Thou wilt," and that there is some substance to it. Out of all this framework that's been constructed, I'm asking you, as a lawyer, is there anything in there that can force barriers to be removed? "Advisory" appears and reappears. We say that by law you can't exceed—

Mr Th  berge: To be candid and frank, to me, the way it is written, no. But there is immense potential in the provisions that are there. I don't know if anybody—the perversive speaker mentioned it, but I was particularly struck by the innovative way this proposed legislation has some carrots. It has strong potential. We talk about enforcement in the private and public sectors and all that. There are two ways: you can force it or use moral suasion—the easy way, the Ontario way. I thought that, to induce and promote the moral suasion, the legislation held out the hope that perhaps—section 11 or 12—the procurement policies of the government could be geared toward that. It would naturally induce and force accessibility and make them stronger every time.

The capital funding projects: I was listening to the questions regarding enforcement of the regulations put to the very able, and now my teacher, Mr McMahon. I hope he gives me a break. With the enforcement mechanism, as such, the government, which helps municipalities financially, has a very strong tool there. All it needs is some fine-tuning and gearing to promote it.

In other words, the Ministry of Municipal Affairs, which gives grants to municipalities and all that, could say, "You had better come up with this accessibility plan, which you have to do." We don't give money just like that. Use some muscle. It has wonderful carrots. Government procurement is one of the biggest consumers in the province and in the country. With this tool that the government has, it can enforce it.

It doesn't have to say—in law, when you start in year one, the first thing you learn is that one feature is that to become obligatory, a requirement is that there be a sanction. Now, a sanction does not necessarily have to be imprisonment or being thrown in jail for not making a thing accessible, but all kinds of very intelligent—I'm looking for the word—you must not contradict me.

Interjection: Incentives.

Mr Th  berge: Subtle ways of bringing about accessibility. Do you understand what I mean? Have I answered your question?

The Chair: With that, I have to go to Mr Martin, because we've run out of time.

Mr Martin: Thank you very much for your presentation this morning. Certainly I can identify—and with the group in Sault Ste Marie, where I come from, as they struggle with this—with the issue of, do you deep-six this in hope of something better or do you try and build on at least some little piece that might be redeemable in this bill? That's what we struggle with at this point in time. We've so far decided to participate in the process and see if we can get the government to listen and maybe make some amendments.

You'll have to help me here. About your treatise on the responsibility and how that goes back to some of the charters we have struck as a country and as a province, are you saying that the government in this instance is downloading responsibility for something for which it has ultimate responsibility, to pass this on now to an advisory committee and municipalities that are over 10,000, as opposed to the provincial government itself taking the bull by the horns and putting in place the laws that are necessary to require everybody out there doing business or offering services in Ontario to make them accessible? Is that what you're saying?

1110

Mr Th  berge: No, not at all, Mr Martin. That's very good anger management. I don't know how you could arrive at that deduction from what I said. No, I did not accuse the government of downloading. To be frank, I believe that the ODA, as presented, initially at least, before I get down to it, represents a remarkable effort. For the first time in the history of the disability community in Ontario the government has a chance, and I think it should seize that chance, to really do something big: model legislation that will be copied by other Legislative Assemblies.

I understood the accessibility committee to be a consultative entity, somewhat similar to the municipal accessibility advisory committee, except that the minister is not a municipality, so it would be a ministerial accessibility council. It's not a committee; it's a council. It sounds bigger, more important.

I don't think it is downloading and I'm sorry I put you through all this painful, long legal analysis. I wanted to ensure that section 22, that this legislation, which was not in and of itself that enforceable—that any regulation that would come as a result of it would not be challenged by someone who would be forced to do something they would not like and would contest the validity of this provision. So if ensuring that the delegation of authority in section 22, although very broad, is lawful and valid, then it follows that the regulations that eventually will be made could not be contested or their validity could not be challenged.

The Chair: With this, we've run out of time. Au nom du comit  , monsieur Th  berge, merci pour votre pr  sentation ce matin.

OTTAWA CITY COUNCIL

The Chair: We have an agreement for a switch in the agenda by the two parties. Our next presenter will be a representative from the city of Ottawa council. I would ask the presenter to come forward. Please state your name for the record. On behalf of the committee, welcome.

M^{me} Madeleine Meilleur : Mon nom est Madeleine Meilleur. Je suis présidente du Comité des transports et services de transport en commun pour la ville d'Ottawa, et aussi membre du comité sur l'accessibilité dont vous venez d'entendre un des représentants.

Thank you very much for allowing me to speak today on the accessibility in Ottawa for persons with disabilities.

Il me fait grandement plaisir d'être ici, et je vais vous présenter quelque chose qui est un peu différent de ce que vous avez entendu. Je ne vous parlerai pas nécessairement de la loi, mais je vais vous parler de ce que la ville d'Ottawa fait au point de vue accessibilité.

Alors, ça me fait aussi plaisir de participer à l'élaboration de ce projet de loi, qui nous touche tous et toutes de très près.

The minister asked the city of Ottawa to do a presentation today on what the city does for accessibility in Ottawa. Much like the minister, the city recognizes that people with disabilities need greater independence through improved individual mobility and better community accessibility.

We are delighted to be asked to outline some of the activities the city of Ottawa is undertaking to meet the needs of people with disabilities.

There are two key areas I would like to discuss with you today. First, I would like to say a few words about the city of Ottawa and accessibility, about efforts being made to provide access for everyone to home, offices, schools and shops. The other area I would like to address is public transportation in Ottawa for persons with disabilities.

After my presentation I will be pleased to address the questions and concerns you may have.

The city of Ottawa's objective is to offer universal access for everybody. An able-bodied person, a person using a wheelchair, someone with a guide dog or a cane, a parent with a stroller, a senior, or someone with a broken leg, each has the right to access homes, offices, businesses, schools and recreational facilities. It is estimated that more than one in five people in Ottawa will experience either permanent or temporary disability during their lives. The steps we take together locally, provincially and nationally will ensure they can continue to access opportunities enjoyed by the rest of the population, including access to facilities, programs and services.

The city of Ottawa is currently conducting accessibility audits in selected municipal buildings, such as Lansdowne Park and Ottawa city hall, that will generate a remediation plan that will provide barrier-free access

for patrons. These accessibility issues fall within areas such as door entry improvements, elevator lift device requirements, and improvements to washroom facilities, parking facilities and routes to travel to main entrances. In many of its buildings, the city is meeting or exceeding the standards for accessibility of the Ontario building code and of the Canadian Standards Association. City hall, for example, has automatic door openers, elevators that feature buttons in Braille, and ramps at entrances.

The city recognizes and endorses the need to pursue barrier-free access as part of its long-term capital development plan. City council, in taking a strong position in this area and in pursuing consultation with groups, organizations and individuals who are familiar with the issues—this will lead to strengthening Ottawa as a caring community, making the city a leader in this area and ensuring it is accountable.

As a recently amalgamated city, the result of merging 12 municipalities into one new nation's capital, we are committed to building on best practices, covering everything from having physical access to a building to having access to participation in all aspects of our public life. To help us accomplish this objective, we have created two committees involving the private sector, similar to an action the province of Ontario has taken. The role of the city's accessibility advisory committee and its mobility issues advisory committee is to develop an awareness and understanding of the issues and concerns of persons with disabilities, with a goal to improving the quality of life and enhancing the independence of these citizens.

There exist many ways in which the mobility of persons with a disability can be enhanced through changes to existing services and facilities. To ensure equal access to electronic and information technologies, the city of Ottawa has developed a set of Web page design standards in recognition of persons with disabilities.

Transportation is another. There are, for example, over 80 intersections in the city of Ottawa equipped with audible pedestrian signals. These signals indicate in which direction pedestrians may cross safely. The signals provide improved security for visually impaired people, while at the same time providing them with greater mobility. Ottawa is a Canadian leader with respect to the installation of these important devices. The city has recently adopted a policy to install these signals at virtually all new traffic signals.

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City staff have been actively listening to citizens' concerns and taking steps to eliminate and prevent barriers, to provide greater accessibility in Ottawa for persons with disabilities. Sidewalks, for instance, have depressed accesses at signalized and pedestrian crossings to accommodate persons with disabilities. In partnership with the Canadian National Institute for the Blind, access ramps are being added at crosswalk locations.

As well, in its commitment to preparing a comprehensive winter maintenance plan for the new city of Ottawa, staff are working with the advisory committee in strategically identifying ways to improve winter main-

tenance of roads and sidewalks to enhance access for persons with disabilities while improving their safety. These are examples of initiatives being integrated in everyday life so that residents and visitors to Ottawa who have special needs have greater accessibility to live independent and fulfilling lives.

Let me now turn to public transportation in Ottawa. OC Transpo provides transit across the urban part of the city of Ottawa. With 900 buses and a new light rail system, we serve a population of 720,000 and carry 85 million passengers a year. In addition, OC Transpo also provides a parallel service for people with disabilities, Para Transpo, that carries 750,000 trips annually.

In 1994, city council approved an accessibility plan for transit in Ottawa-Carleton that showed how a policy of full accessibility for regular transit services would be implemented. This called for all future bus purchases to be low-floor buses and the improvement of transitway stations and bus stop facilities to make them more easily accessible for use by people with disabilities, among other things. It also recommended the development of accessibility standards for future transit facilities. It highlighted the need for high-quality sidewalk maintenance, particularly snow removal and curb cuts, to ensure that customers could get to the bus stop to access the service.

The development of the plan was a partnership effort with representatives from the municipalities making up the former region, the Canadian National Institute for the Blind, the Canadian Council of the Blind, the Council on Aging, the Senior Citizens Council, city council, Para Transpo customers, OC Transpo customers, union representatives from operators and supervisors, and transit staff members from most departments. We welcome and value this continuing partnership.

There has been solid progress since the plan was approved in 1994. I will mention a few of these items. Since low-floor buses became available in 1997, all new buses have low floors, which means easier access to bus service for seniors and persons with mobility difficulties or in wheelchairs. By the end of this year, the low-floor bus fleet will make up almost 30% of the total bus fleet. By 2011, 85% of the fleet will consist of low-floor buses.

All buses are now equipped with easier access features, which make transit more accessible for everyone. These include buses with the capability to lower or kneel close to the curb for easier boarding; priority seating near the front for persons who cannot stand in a moving vehicle; extra grab rails; easier-to-reach stop-request buttons and yellow pull-cords; a public address system to announce transit stations and major stops; and additional lighting of doorways and front seat area.

All new bus shelters are fully accessible. In fact, Ottawa led the way in working with a major bus shelter supplier to design shelters that can comfortably accommodate wheelchair users and these are now found right across Canada. As low-floor bus service is provided, existing bus shelters are being modified to be fully accessible and all bus stops on accessible routes are being

audited to ensure that people with mobility aids can get to and from them as easily as possible.

In consultation with the Canadian National Institute for the Blind, OC Transpo has developed a bus-hailing kit that allows people with vision impairments to communicate to the bus driver which route they need. OC Transpo has also developed Braille bus stop flags, which are available in the conventional transit network to help visually impaired customers. Accessibility guidelines were developed to assist access for persons with mobility, visual, hearing, speech and cognitive disabilities and all new transitway stations and light rail are being built to these standards.

The O-Train was introduced in October 2001 as the first step toward city-wide light rail transit. It operates between Greenboro transitway station in the south and Lebreton Flats in the north, where a new station is being constructed. The stations are fully accessible and the low-floor trains offer easy access for everyone. City staff are working to ensure that all new arterial roads on which transit will operate will have sidewalks on both sides. All new collector roads will have, as a minimum, a sidewalk with curbs on one side and accessible raised bus pads on the other side.

I will now turn to Para Transpo. Para Transpo is a door-to-door transportation service for persons with disabilities who are unable to board conventional transit services. Passengers must be registered to use the service, and reservations are required. We are proud that Ottawa is currently providing more Para Transpo service per capita than any other city in Canada. However, that service is expensive. In 1999 for instance, the net cost per capita was \$21, in comparison with \$15 in Toronto, \$11 in Calgary, and \$13 in Edmonton.

The objective for OC Transpo in the coming years is to accommodate the growing demand for public transit services by people with disabilities in a fiscally responsible manner. As Ottawa's population ages and people with disabilities participate more in the community, the delivery of specialized public transport creates unprecedented strategic planning challenges and financial pressures. The crux of the issue before the city of Ottawa is to develop a plan to deliver public transit services to elderly and disabled people that satisfy community requirements and expectations in a cost-effective manner. The city has been working hard to meet these demands and continues to work with representatives of the disabled community and the city's accessibility advisory committee.

In conclusion, this vision statement summarizes our objective. The city of Ottawa values the contributions made by all its people and believes that the diversity among its people has strengthened Ottawa. The city recognizes the dignity and worth of all people. It does so by treating individuals, communities and employees equitably; by fairly providing services; by consulting with communities; and by making certain everyone has input to decision-making.

I look forward to working with my colleagues, city staff and our partners toward doing what we can to en-

sure that our citizens are enjoying the best quality of life our community can offer. Working together as partners, we can enhance accessibility for all our citizens.

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The Chair: We have time for a brief question from each caucus.

Mr Patten: Merci pour votre présence ici aujourd'hui. By the way, I must congratulate you. I know the city is taking a leadership role in comparison to municipalities in Ontario. You and the council and the mayor are to be congratulated for that.

However, I have a question for you, very briefly: what in this act enables you to either provide incentives, some pressure, or accountability on the part of the private sector? Many of the people who are affected are saying, "There's so much in day-to-day life that I'm affected by in terms of the private sector, but there's nothing in this legislation that does that." Is there anything in there that you see here or that should be here that enables you as a municipality, through bylaws or building codes or whatever, to say, "Listen, before you get approval for this, you have to be more accessible," or "You have to modify your building," or "You have to go back over a period of time to look at the barriers to the entrance of your stores," or whatever it may be?

Ms Meilleur: No. The way we see it, it is applicable to the public sector. I would like, if I have a recommendation, that we do all we can to render this applicable to the private sector too.

Mr Martin: Just to follow up on that, this morning in some of the presentations we've had the issue seems to be one of, "The city is certainly providing exemplary service. But you get to, say, the Byward Market and then you can't get into most of the stores or restaurants or coffee shops. That is what they're saying. That's a problem. The question that was asked is, will this act improve that circumstance or that situation?"

The other question I would have for you is—you've obviously done really well in the area of mobility and making your facilities physically accessible—have you looked at other disability groups and what they might need: the blind, the deaf and those with cognitive disabilities?

Ms Meilleur: Oh, yes, they are all part of our consultative group. We have two committees, accessibility and mobility, of which the membership is representative of the disabled community. I think we have most, if not all, the categories of disability present there. They are consulted as we improve our sidewalks, bus stops or traffic light crossings to help them to cross the street. They are involved and we value their input.

Mr Guzzo: Thank you very much for your enlightened presentation. I too would like first of all to state that we in the city of Ottawa are very proud of the progress and the leadership the city has shown. The former region and some of the constituent municipalities have been leaders in our community.

Of course, I hearken and mention that it goes back to the early 1970s and some of the enlightened councils that

were there then under Mayor Fogarty and Benoît and Greenberg, but that would be self-serving; the last person to ever do that would be me, and I don't want to be negative. I also want to commend the light rail project. For the people flying in last night, and I was one of them and came in on a later flight, if that light rail went to the airport, you have no idea how popular it would have been in that freezing rain around midnight last night, as opposed to the taxi service. I'll leave that.

I want to mention that yesterday I had the opportunity to introduce the amendments to the new City of Ottawa Act. Dealing with Ms Dronshek of your legal department has been a pleasure again. We did not have, though, at that time when I introduced it, the taxi changes. I'm looking forward to them coming very shortly. I mention that simply because I'm led to believe that we are not going to have in those taxi changes, the second phase of that act, sections dealing with what we are trying to accomplish in this act. I just mention that. I don't wish to be negative. I know it is a matter that is under consideration, but I would ask you to remember that it is a facet of transportation that has to be addressed. We should hopefully be moving forward in the same manner you are with the bus transportation. We do commend you for what you have accomplished.

Ms Meilleur: You're raising a good point. That was my criticism during the debate on taxis. We have not obliged the taxi industry to provide accessible taxis. I would say it is almost a disgrace. But the council will be working with the taxi industry to help them. Apparently, according to the legislation that regulates the taxi industry for the disabled, it is very costly. There are two points there. The taxi industry is asking the government to change the requirements to the way it is in other provinces. We want to develop incentives for the taxi industry to provide accessible taxis.

The Chair: With this, we've run out of time. Au nom du comité, merci pour votre présentation ce matin.

CANADIAN NATIONAL INSTITUTE FOR THE BLIND, OTTAWA DISTRICT

The Chair: Our next presentation this morning is from the Canadian National Institute for the Blind. I would ask the presenters to come forward, please. Please state your name for the record. On behalf of the committee, welcome.

Mr Bill Clelland: My name is Bill Clelland. I'm a volunteer with the Canadian National Institute for the Blind, Ottawa branch, and I'm the chair of the client services committee here locally. I'm here to support a presentation by my colleague Colleen Hendrick.

Ms Colleen Hendrick: What Bill and I would like to do today is to make a presentation to the standing committee on behalf of the Ottawa branch of the CNIB. The purpose of this submission is to provide comments and recommendations related to the provincial Ontarians with Disabilities Act. First of all we'd like to introduce, in terms of context and background, what the local CNIB

does. The CNIB Ottawa District provides a comprehensive range of programs and services to 4,000 blind, visually impaired and deaf-blind children, youth and adults across our community. Programs and services include early assessment and referral, children's early intervention programs, adaptive daily living skills, orientation and mobility support, employment services, vision assessments, volunteer support, self-help support, intervention services for deaf-blind persons, specialized library resources and parent support services.

The CNIB is committed to ensuring that all blind and visually impaired persons achieve the greatest degree of independence and participation in our community. The CNIB provides a range of programs and services that build concrete skills, confidence and self-esteem in individuals and their families to allow them to participate and contribute as valued members of our community. The Ottawa district CNIB has actively advocated for the creation of progressive legislation, programs and policies that will result in a barrier-free community for all persons with disabilities. We believe that creating a barrier-free community requires adequate community consultation and engagement involving all sectors of the community, development of effective legislation and implementation of adequate programs, services and funding mechanisms.

While the CNIB Ottawa District supports the general direction presented in the draft legislation, we believe there are significant areas that require reconsideration in order to achieve the key objective of a fully inclusive, barrier-free community for all persons with disabilities. The Ottawa district CNIB supports the principles, recommendations and amendments that have been identified by the ODA committee. You will be familiar with the ODA committee. It is a voluntary group of 100-plus members who advocate for a barrier-free Ontario. Members of the CNIB Ottawa branch have contributed input and feedback to the ODA committee. We recommend that the standing committee incorporate these concrete suggestions and amendments to the proposed legislation.

We understand that the ODA committee will be submitting a report to the standing committee as part of the public hearings process. The CNIB Ottawa District wishes to acknowledge and support the incredible work of the volunteers in developing the ODA committee submission. We'd like to take a few moments to highlight some of the components of the ODA submission that we particularly support.

(1) Legislation should cover all disabilities, physical, cognitive or sensory. It should cover all barriers, not just physical barriers. All public and private sector providers of goods, facilities and services should be required to remove and prevent barriers.

(2) Timelines and standards should be decided through stakeholder consultations. The legislation should set out clear timelines for developing the guidelines as well as a process for consultation. The same requirements should apply to all employers, and there should be an effective way to enforce the law.

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At this point in the presentation, we'd like to provide some additional recommendations from the Ottawa district CNIB. Members of our district have discussed the issues and concerns raised by the proposed legislation, and prepared a letter in the past outlining these concerns. That letter has been submitted. The ODA committee has identified the previously mentioned issues as well.

The following issues are marginally addressed in the proposed legislation. We would like these additional issues to be considered within a broader context.

First of all, a comprehensive approach: The proposed legislation does not require all sectors of the community to participate. We believe the legislation should apply to all sectors, and that specific implementation timelines and compliance requirements are needed. We believe that standards are required, not just guidelines.

We also believe that blind, visually impaired and deaf-blind persons have different needs as well as shared needs. We believe a range of solutions need to be developed and implemented; for example, access to information in a range of formats, including Internet sites.

We believe the proposed advisory committees must ensure adequate representation of all disability sectors and ensure adequate representation by persons with disabilities. Representatives must also have effective links to their local community. The role of the proposed advisory committees needs to be integrated with other local advisory committees that have accessibility mandates, such as we have in Ottawa. I think previous speakers have noted that as well.

Secondly, funding: The background documentation included with the provincial legislation refers to a variety of funding sources and initiatives that have been introduced by the government during the past few years. We believe it's important to note that often funding initiatives are not necessarily integrated. One initiative may create unintended impacts in other areas for persons with disabilities.

In Ottawa, there are thousands of children with disabilities who require early intervention services and additional support programs to respond to their very specific needs. Across our community, there are programs such as children's mental health programs, speech and language programs, and various early years intervention programs. Those are all important programs in our community infrastructure. But programs typically have specific age targets or length-of-service targets which do not necessarily reflect the ongoing and changing needs of children with disabilities. Some programs provide services only to a specific age, such as the local Success by Six program and the First Words program. These are incredibly important programs in our community, but they are limited to a specific age group, and those limits are often defined by the funding sources. Children with disabilities need ongoing intervention and support, but the funding for these types of programs is often age-specific. Success by Six, as an example, should not mean Nothing by Nine. Children with disabilities become

adults with disabilities. The nature of the disabilities may change over time, but generally they do not disappear. Programs and funding mechanisms need to reflect the changing needs of users, particularly the needs of children and adults with disabilities.

We'd like to focus on another example, and that's the education system. Current provincial education funding formulas do not provide sufficient funding for local school boards to deliver appropriate special education programs and services needed by all children with disabilities. In order to achieve a barrier-free community, we need to ensure adequate funding is available to support children, youth and adults in reaching their potential. This means funding is required not only for physical modifications to buildings and facilities etc, but also to ensure that adequate programs and services are available across the community to meet the changing needs of people with disabilities. Additional funding must be available to employers, organizations, community groups, and to individuals and families to modify existing buildings, remove barriers and create a barrier-free environment. Additional funding needs to be made available through the taxation system, grant funding programs and other financial incentives.

Further funding needs to be made available for local school boards to provide adequate and appropriate special education programs that respond to the choices and needs of all students with a disability. Furthermore, additional funding needs to be made available to ensure that all students with a disability have access to accommodation resources and supports, adaptive devices etc, to ensure full participation in the educational system.

Additional funding needs to be made available across the community to ensure adequate community-based programs and services exist to respond to the changing needs of people with disabilities. This is a particular concern with services that have been downloaded from senior levels of government to local communities.

Additional funding needs to be made available for all employers to integrate and accommodate the needs of disabled persons in the workplace.

Additional funding is required for low-income persons receiving Ontario Works and Ontario disability support program funding. Low-income persons with a disability have added expenses and barriers such as access to affordable transportation, housing, adaptive and special devices, special diets, etc.

There are successful examples of the public and private sectors working together to achieve barrier-free environments, and we need to build on these best practices. An example is the United States.

Community design: the Ottawa district CNIB believes that creating a barrier-free community requires the integration of land use planning approaches within an overall strategy, one that is committed to improving the quality of life for all residents. Land use planning, bylaw development, regulatory development etc all should include barrier-free criteria. Other policy and regulation development should also include a similar assessment.

We need to create, build and support local groups that will design barrier-free communities. We believe it can be achieved when we develop appropriate local official plans, bylaws and regulatory frameworks. For example, the planning of a new housing subdivision and all of its amenities—whether that's schools, playgrounds, parks, recreational facilities, transportation systems—needs to be assessed within "barrier-free" criteria. At the same time, we also need a commitment for support and funding for the redesign of infrastructure, community facilities, buildings, parks etc in those communities that are already established in order to ensure they become barrier-free environments.

We need to be aware of the impacts of design on all residents. Removing barriers must not result in other negative, unintended impacts. Changes must make sense for all residents and improve quality of life across the entire community that we live in.

At this point I would like to provide a personal context in terms of imbedding those concepts and visions in the kind of community we hope to build. As Bill indicated, I'm a member of the board. I'm a parent of a visually impaired youth; he was born with visual impairment. He has congenital glaucoma, a degenerative eye disease. He has 10% vision in one eye only. He wears a prosthetic appliance in the other eye. He is 15 years old. He is absolutely curious about the entire world. He loves to debate and discuss ideas. He races on a local downhill ski team. He won a silver medal in the disabled Canadian championships out west this spring. He volunteers and he's a student council representative. He's totally engaged. I talk about him from the point of view of his self-esteem, because our son doesn't see himself as being disabled. He sees himself as being able. He always has. "I might do some things differently, I might experience the world differently, but I can do and I can take on anything that I desire." I think that's the kind of community we want to build locally, provincially and nationally.

As parents of a visually impaired child, we've learned some lessons. We absolutely think that individuals with disabilities have to have a strong voice in defining and implementing the change in their communities.

Over the years we have also learned that children with disabilities need a lot of support. They need access to early intervention programs and services. Families need to be supported. Children and families need to learn new skills of daily living, need to be supported in the major transitions from home to school, from school to work environments, participating and contributing in local communities. We have to develop, nurture and support positive self-esteem.

Children with disabilities become adults with disabilities. We believe a successful barrier-free environment will be one that adapts, that accommodates, recognizes and values all members of the community.

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The Chair: We have approximately two minutes per caucus.

Mr Martin: Thank you for so adequately explaining the diverse face of people with disabilities in community and the need to address their needs.

The criticism of this bill by some has been that it focuses solely on issues of mobility and accessibility in terms of buildings and this kind of thing. You mentioned, for example, the need for children in education to have the support and necessary resources to maximize their capacity to learn and to participate. That obviously takes a lot of money, and there is no money attached to this bill. There's no reference to the spending of any money. The government will make the case, I'm sure, that we're going to be running \$5 billion short in the next fiscal year. What would you say to the government in terms of the kinds of resources that are needed—money—and where they might get that money?

Ms Hendrick: That's an easy question. In terms of funding, the message we would like to leave with the members of the committee is that individuals with disabilities are members of our community, and that we need to invest in people, that we need to invest in programs and services, that we need to invest in facilities, and that we need to create policies that remove barriers, that create very inclusive communities and societies. If the question is, do we have all the money tomorrow in this province? the answer is probably no. But if there is a vision of what we want to achieve, there can be a way to achieve that vision. As parents of a disabled child, I think we would be looking for the government to demonstrate leadership, to make some of those financial commitments, to have a clear plan and to have accountability for how we are moving toward the achievement of that plan.

Mr O'Toole: Thank you very much for your presentation this morning. I would also like to directly thank you for sharing the personal story and the real story of being given the opportunity to be all they can be. I pick up on that because, as a trustee, for a number of years I served on the special-ed advisory committee and I am very familiar with where we've been and where your 15-year-old son has been and where we are. I would make the argument that for years much of the identified funding in special education was developing programs and other things. But now it is with ISA and other types. There's never enough, but it is now being clearly more directly related to the delivery of support services. I'm very proud of what the government, the Ministry of Education, is doing and must continue to do to improve opportunities for people who need support systems.

I was also impressed with the need for supports. In some respects there are supports in this legislation. If you look at the preamble and at some of the beginning framework, it provides for that—in my view and I'll let you respond. There was an opportunity between 1990 and 1995 for a vision to evolve and a commitment to evolve. As you said, I think this is a vision, a framework, an opportunity and a model that has the mechanisms for, first of all, access, input and accommodation for people.

I'd like you to respond to that because that's what this is. This is the visioning process. It isn't all the answers. A

prescriptive solution is far too early. It pre-empts most of the discussion we are here to hear about.

Ms Hendrick: I would agree the proposed legislation is setting out a vision of where we want to go as a community and as a province. On behalf of CNIB, Ottawa branch, we really commend that direction. But it also needs to be more than a vision. A vision needs to be adequately resourced, supported and funded, and I think, in principle, in terms of moving beyond a voluntary approach and looking for stakeholders to be all stakeholders across the community. That requires more than just a vision statement. That requires taking the vision statement and operationalizing it in terms of what that means financially, fiscally, and how initiatives would actually be developed and implemented and rolled out across the community.

Mr McGuinty: Thank you very much for your presentation, and particularly, thank you for sharing with us your experience connected with your son. I agree. I think one of the most important things we can hold before us is an ideal that inspires our efforts and informs our thinking, but at the same time we have to nail that down to bedrock and give expression to our commitment through concrete measures. We need standards. We need timelines. We need both carrots and sticks, acknowledging that we are dealing with people, and acknowledging human nature. I think a very important ideal in all this is, what do we want to achieve here in Ontario? What kind of society do we want to lend shape to? I don't believe we should be running the race that makes us the lowest-taxed jurisdiction. What we should be looking for, shooting for, is a place where people are at their best.

Frankly, if your son does well, I do well. It's not just a moral imperative to ensure he can achieve his potential, but in a knowledge-based economy we need everybody at their best, so it becomes an economic imperative at the same time.

I don't have so much a question for you, but just to express my appreciation for your comments and for championing the cause you're championing. I'm sure your son gets his commitment and drive, at least in part, from his mother. The apple never falls far from the tree. We look forward to hearing more about him and others just like him right across the province.

The Chair: On behalf of the committee, thank you very much for your presentation this morning.

I would point out to the members that checkout time is prior to 1 o'clock today.

Mr O'Toole: On a point of order, Mr Chair: I wouldn't mind hearing from participants today on the suitability of the accommodations here for these hearings and any suggestions they may have. I put that to the public for all support systems. It's important for us, as we go through this, to recognize not what we think essentially, but the people who can easily identify shortcomings.

I want, through you, Mr Chair, to be affirmed that all the accommodations during these hearings will meet with every requirement in supporting special needs. I am

concerned with Windsor. I want to be assured that there will be no lack of system supports for the very group of the population we are trying to hear from. Without being critical, if I can be satisfied, then my point is redundant.

The Chair: I would consider that a point of order. If anyone has some input to submit to the committee, I strongly suggest that you address the correspondence to myself as Chair of the committee. I can certainly make sure the three parties receive copies of the correspondence.

Furthermore, on the point you raised with regard to Windsor, we have changed the venue in Windsor. I think it is the Sheraton Casino Windsor Hotel. Apparently it's more appropriate. I don't want to say the other facility was not accessible, but apparently this one is more appropriate. Mr O'Toole, with regard to the subcommittee report—I don't have them with me—there are some lists that are provided—I do have them; I'm sorry—with regard to some guidelines provided by human rights and disability access, the Ontario Ministry of Citizenship, that deal with signage, that deal with transit services. Basically it deals with accessible facilities in the province of Ontario.

I commend the clerks and their staff because they've done an excellent job in trying to provide the facilities and the support people to make sure that everyone who addresses the committee is accommodated. From what I've observed this morning, I would say kudos to the clerks for doing this.

Mr Martin: To bring to people's attention and to give kudos—as we are giving them out now—to research, we asked for a document that would indicate to us what's happening in other jurisdictions, both in Canada and abroad. Research has put on the table, this morning, helpful documentation on that which we should all take a look at. If there are people out there who want to have a look at that information, it is now available through the clerk's office, legislative research. We should be able to facilitate or help you, if necessary, to get your hands on that so we can see how we stack up where other jurisdictions are concerned in this very important area of legislation and regulation where accessibility and disabilities are concerned.

The Chair: To clarify your point, apparently there are copies available immediately if people so desire.

Mr Martin: It's a very good document.

The Chair: With that, this committee is recessed until 1:30 this afternoon.

The committee recessed from 1201 to 1331.

CHRIS STARK

The Chair: Good afternoon, everyone. Since we have to vacate the premises by 4 o'clock, we'll start right away and make sure we're on time. We don't have as much time to play with as we had this morning.

Our first presentation this afternoon is Mr Chris Stark. On behalf of the committee, welcome, and you have 15 minutes for your presentation this afternoon.

Mr Chris Stark: Thank you and good afternoon. I appreciate the opportunity of being with you. I come as a citizen, although I'm a member of many organizations, including Guide Dog Users of Canada, the National Federation of the Blind: Advocates for Equality and on and on.

My point this afternoon is to raise one issue, namely, the effect of the proposed bill on the private sector. There are many other things I could say, but they've probably been better said by others. While I'm not an active member of the Ontarians with Disabilities Committee, I've read their material and support their 11 principles, and what will be will be.

We try to live independently in the community and be the best we can be as contributing citizens. We look to our government and society for the supports and inclusive strategies that allow us to do that. For me, will this bill do that? I invite you, the next time you go to the grocery store, to close your eyes and figure out how you'd do it by yourself. Can you read the prices? Can you read the product labels? Can you in fact even find out what's in what aisle? Those are the kinds of barriers we face every day because organizations doing business in this province, good corporate citizens, do not serve or feel the need to serve all citizens. They are looking on us as an unnecessary and unjustifiable business expense. My disability is their attitudes, not my visual impairment. However, their attitudes handicap me in living in the community: not being able to read a prescription direction from the pharmacist; not being able to read the receipt to know if I've paid the right price for something.

I do have a job, although I'm here as a private citizen today representing nothing other than my one vote in this province. But I do pay taxes. I'm fortunate in being able to work and don't have a problem paying taxes. I do have a problem, though, with spending my money unnecessarily and being, for want of a better term, fleeced by an economy that thinks it's fine to give sighted people information about sales and product reductions and not blind people, and with a Human Rights Commission that is totally useless when it comes to providing opportunities for people who are blind to get access to the same information you take for granted.

When I look at the fourth principle that ODA has advanced in this bill, I don't see anything in the bill that's going to require this hotel next week to have tactile markings on their washroom doors so that I know with confidence I'm going into the men's washroom. Look at the washroom outside the bar; you'll find no tactile markings. When I go to the Delta Hotel in Toronto, I don't have an accessible thermostat in my room. I can't tell whether I'm putting it up or down when I adjust the heat. Those things aren't high-cost, high-tech things putting ma and pa businesses out of business; they are simple basics of everyday life. Where your bill needs to be amended, and I urge you to amend it, is in the area of saying to businesses, "If you want to do business in Ontario, serve all Ontarians or do your business elsewhere." Stand up and be counted. Give people the chance

to benefit from the economy, from what commercial activities are out there. The next time you go to a restaurant, can you get a menu in Braille?

We don't have to look any further than your committee, and I do compliment the organizers for their orientation and making us feel at home here today. The only agenda I can get is a written one in print. I'm sure somebody else has mentioned that to you. I don't have a super memory. I can't remember more than three or four things with any degree of accuracy, and what I remember now is not the way I'll remember it two hours from now. By saying to somebody, "Oh, well, you can remember nine choices or 20 choices on a menu," is not really the same as giving me a menu I can read. The only restaurants I know of that have Braille menus in Ontario are American restaurants that have it because of the Americans with Disabilities Act and find it cheaper to simply do the same thing in Canada.

What we need in Ontario is some statement by the government of Ontario that businesses have some responsibility to provide services to everyone, including people who are blind. I don't think your bill does it. In fact, I think the crafters of the bill are ducking the issue of making the private sector accommodate people with disabilities. You say, "Oh, well, the barrier-free design standard and the barrier-free design requirements basically focus on physical access needs, particularly for people who use wheelchairs," and while they're important and needed in society, there is more to disability than wheelchairs. I think your act has to step outside of that stereotype of disability and do some things for us other people with disabilities.

You have a service animal and you go into a store, and you have people trying to get you to leave because they feel that service animal is not allowed to be there. There is the need for training and there is the need for a requirement that anybody who does business in Ontario certify that they're qualified to serve all, including persons with disabilities. Mandatory awareness training is an equally important part of the whole equation of making Ontario an inclusive place where people with disabilities will be proud to live.

I know most of this is crafted in stone and you've already decided what you're going to do and probably coming here is a waste of time, but we keep trying to be included and keep making the effort. The question is, are you going to give us a helping hand, not in 20 years but tomorrow, today, so that the next time I go take a taxi in Toronto, as happened last summer, I'm not going to be refused to be carried, and when the door person of the hotel reports it to the taxi commission, the commission is almost powerless to deal with it.

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My point is, either I have dignity and the right to know how much I'm being charged, have the right to know that I'm not putting rat poison in my soup when I make soup because I can't read the product label, either I have the right to know that I am being charged the right amount when I pay for a bill, or I don't. That's really the question

you will answer when you give your amendments to your bills. Most of what I'd like to see is low-cost or no-cost, and they're going to affect such good corporate citizens as Canadian Tire, which refuses to make their sales flyers available in a format blind people can read; Sears Canada, which doesn't make their accounts available in a format I can read; Loblaws, which doesn't make their promotional material available. I give you specific names because I'm not talking about undue hardship and I'm not talking about putting a company into bankruptcy by letting me save a couple of dollars too. I'm talking about big business and big exclusion, and I don't see where your bill is going to deal with that.

I have a few minutes left in my 15 minutes. If anybody wants to debate that with me, I'd be happy to do so. Otherwise, I'll go on my way and do the best I can, and if you can give us a helping hand by making the private sector more accommodating, then I will, down the road, say thank you.

The Chair: We have approximately a minute and a half per caucus, and I'll start with the government side.

Mr Spina: Mr Stark, thank you very much, along with your friend, for joining us today. What's his name?

Mr Stark: His name is Richie Guide Dog, and Richie has worked with me for nearly two years. I had another one for 10 years before him and had equal challenges of acceptance. They're lovable creatures, but some people think they're not welcome.

Mr Spina: I'm interested in the comments you made about some of the private sector's potential for making it better and easier for blind people to access their services and goods. I have two short questions. I'm going to ask you both questions and then I'll let you decide how you want to answer them, OK?

You work for a federal agency. As part of the work that you do, are there any elements of that job that you think we should be looking at that would assist people like yourself?

The second question has to do specifically with the private sector, which you mentioned. I wondered if you could suggest some thresholds, perhaps. You talked about big business, you talked about sale products, communication, marketing pieces and that sort of thing. Have you got any ideas on the threshold of where businesses ought to be told to get into accessibility? Should it be the size of the business, by employees? Should it be by their gross sales? Should it be by the size of the store?

The Chair: You're going to have to wrap it up, Mr Spina.

Mr Spina: Those are my questions.

Mr Stark: Firstly, since I'd like to be employed tomorrow, I'm not representing my employer. I'm here as a private citizen with time off. That employment has given me an opportunity to briefly give you a bit of an answer, because I've been lucky to have the experiences I've had and the inclusions I've had.

I think the issue is if a company can make an accommodation without unduly affecting its ability to function, then it should. Twenty years ago you had the same argu-

ments about the costs of ramps and automatic door openers. What I need costs far less than an automatic door opener. A thermostat that I can read is a thermostat that doesn't cost much to make if you do it en masse. So I think my answer to you is, you can't draw the threshold in any way, shape or form except to say it's a cost that all society will bear and you can put that cost in the price of your goods, which we all pay. For example, Bell Canada charges us all 13 cents a month for the Bell relay service for people with disabilities.

Interjection.

Mr Stark: Well, 15. But we all pay it. There are lots of things I pay for that I can't use. So the issue is it's a cost of doing business. I'll leave it there. I'm certainly available to the committee at another time to answer it in greater depth, but my 15 minutes is up.

The Chair: No, we still have a couple of questions. For the official opposition, Mr Parsons.

Mr Parsons: Mr Stark, an interesting presentation. How did you find out about the opportunity to present today?

Mr Stark: I found out through the Ottawa advisory committee on the ODA that sent out an e-mail and then I simply phoned the number.

Mr Parsons: It wasn't any advertising or radio?

Mr Stark: No, sir.

Mr Parsons: How do you find out about public hearings on other issues when they come to Ottawa?

Mr Stark: Mostly through word of mouth from blind people and other interested people, a network of people with disabilities. The mainstream media are particularly uninterested in disability issues. Just to throw one out that's not within your jurisdiction, new technology that comes on the scene, like on-screen programming for televisions and cable—there's no reason why that can't be made accessible to blind people. You've already got the speakers and the television. So no, I don't find out very much information through mainstream media.

Mr Parsons: Do you have trouble accessing provincial government information in a form that you can use?

Mr Stark: Some things yes, although I will have to give the provincial government some compliments for their Web sites. In general, it is not too bad to use for a person who has a computer with a screen reader. It could be better, but when you come to things like Queen's Printer documents, when you come to things like department publications, no. Most staff don't know how to get that information to me. So from that perspective your bill may do a lot to help, but from the perspective of getting that information now, it is difficult. The Web has made it easier.

Mr Martin: Thank you very much for coming here today. Certainly, your concern is consistent with the voice that we've heard in a confident way since people have had a chance to look at this legislation, particularly in the area of it not doing anything to force the private sector to change its ways or invest in new ways of accommodating folks with disabilities, and the question of enforcement across the board.

This morning we've heard from a couple of people, on one hand, that the city of Ottawa is doing some pretty marvellous things to get people around. Then we hear from other folks who say that's fine, except that when you get to where you're going you can't get in. They talked about the Byward Market. One gentleman talked about a coffee shop, I guess, that just went up close to his home that, because of one step, he can't access either. What's your experience there, and do you think this bill will in any way improve that circumstance for you and your colleagues who are blind?

Mr Stark: To the extent that it encourages the review through an inclusion lens of any application for new or renovated construction, it has the potential. I'm surprised and continue to be appalled that I can't go to places like a Harvey's restaurant without walking on the "in" and "out" ramp that cars use, because there isn't a sidewalk connecting the front door to the city sidewalk. In the Signature mall out in Kanata that has just opened three weeks ago, it is very difficult to find the entrances to the stores because they've blended them all into the windows, you know, trying to make it look like it's all blended together. We need contrast and distinctiveness to do that.

My answer to you is, I don't see anything there that says, "If you want a new permit in Ontario to do anything, prove to the people giving you the permit that it is accessible. If it ain't accessible, then come back with the proof that it will be." That doesn't cost anybody anything about the things that are already there. It means if you want to do something new, make sure that blind people are going to be able to find the front door.

The Chair: We've run out of time. On behalf of the committee, thank you very much for your presentation this afternoon.

Mr Stark: Thank you for listening. I'll look forward to hearing what you decide about my modest request.

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EVELYN MILLWARD

The Chair: Our next presentation is from Evelyn Millward. I would ask the presenter to please come forward and state your name for the record. On behalf to the committee, welcome.

Ms Evelyn Millward: My name is Evelyn Millward. This is my reader for my presentation, George Hendry. With this lighting it makes it even more difficult, but I came prepared with a reader because I wouldn't be able to see my presentation. George is going to read for me the presentation I forwarded to the committee and the words I have been able to add since I got the notice last Friday. I had until Tuesday to submit my name for today. George will read the introduction I was prepared to make on my own, but I'm unable to see it.

The Chair: Thank you very much. You can go ahead.

Ms Millward: The first item is the letter dated November 30 of this year, Ottawa public hearing on Bill 125, addressed to Susan Sourial.

"Madam Clerk:

"I wish to thank the government for this opportunity to present in person my November 18, 2001, submission on Bill 125, which you have in front of you today.

"In the preparation time allowed for this hearing, I have been able to add a few words and still stay within the 20 minutes I am allowed for my presentation.

"I wish to thank you for permitting George Hendry to read my prepared submission."

A letter dated November 17, 2001:

"Dear Clerk:

"Submission to public hearings on Bill 125."

This is my submission to make Bill 125 strong and effective. Bill 125 will need to be amended in key areas to fulfill the goals set by the people with disabilities and by the government's own vision statement.

Here are five key amendments: (1) requiring barriers to be removed and prevented within specific time frames fixed in the bill; (2) ensuring that the bill extends requirements for barrier removal and prevention to the private sector, as well as the public sector; (3) establishing a truly effective consultative and inclusive process for regulation-making and setting standards, which ensures the disability community a voice in these key areas; (4) creating effective ways to enforce the legislation; (5) strengthening the advisory councils at both the provincial levels so that they have teeth, are accountable to the disability community and cannot be ignored.

If the government can give the disability community a central role now by accepting amendments that are put forward by people with disabilities—my vision loss is caused by age-related macular degeneration, and my hearing loss is caused by hereditary otosclerosis—then the government has an opportunity to show that they support their words with real action in the upcoming public hearings on Bill 125. The government will show by their actions that the amended bill will ensure that it will do what the government now claims it will do for Ontarians of all ages, from birth to old age, with disabilities. This legislation will require organizations to remove and prevent barriers, not just make plans.

"I have made my 'application of request for public hearings' to the clerk of the standing committee on justice and social policy. I am requesting that my submission" to the standing committee on justice and social policy "be heard in ... the city of Brockville in eastern Ontario." Evelyn Millward of Brockville.

This next portion is in extremely fine print and time did not permit its being reformatting.

This shows that in significant part this bill repeats matters that are already law in Ontario and offers up measures that the Ontario government could have undertaken throughout its two terms without needing new legislation. The government says that under this bill the Ontario government will lead by example. Yet the government has said it has been leading by example on this issue throughout its mandate.

The government has made a number of important statements about what persons with disabilities need and

seek in this legislation. We agree with many of those statements. This bill does not live up to those statements. It does not achieve the great benefits for Ontarians with disabilities, for Ontario's business community and for all Ontarians that a strong and effective ODA could bring us all.

The above five key amendments are designed to achieve four goals: to make the bill include all the things that the government says it includes; to bring the bill into full compliance with all 11 principles for the ODA, which the Legislature unanimously adopted by resolution on October 29, 1998; to ensure that the bill is strong and effective, in accordance with this Legislature's unanimous November 23, 1999, resolution; and to clarify the bill's often vague and confusing wording. Due to the Legislature's rushed timetable for debating the bill and for public hearings, we have not had enough time for research and for as full a consultation on our proposed amendments as we feel persons with disabilities deserve.

The five above amendments would make the bill's purpose the achievement of a barrier-free Ontario; require barriers to be removed and prevented within specific time frames; require that important regulations under the bill be made within time frames set in the bill; ensure that the bill extends requirements for barrier removal and prevention to the private sector, as well as the public sector; strengthen provisions seeking to prevent new barriers from being created with taxpayers' money; establish a truly effective consultative and inclusive process for regulation-making and setting standards which ensure the disability community a voice in these important decisions; establish effective ways to enforce the legislation; and strengthen the provincial advisory council and the municipal advisory committees so that they have teeth, are accountable to the disability community and cannot be ignored.

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Conclusion: The issue before the Legislature in Ontario is not whether Bill 125 is a "good first step." That expression dramatically lowers the bar. After six and a half years, Ontarians with disabilities deserve more than a first step. We seek an ODA which is strong and effective, as this Legislature unanimously promised us on November 23, 1999. We call for amendments that will fulfill that promise. We urge the standing committee and the Legislature to give these proposed amendments—and amendments which others will propose—the time, consideration and debate they deserve. We are eager to do what we can to help achieve our dream of a barrier-free Ontario.

The Chair: We have approximately two and a half minutes per caucus.

Ms Millward: Excuse me. I'm not able to hear the voice. Can you indicate where it is coming from?

The Chair: Yes, it is the Chair. I'm directing as to who is going to be posing—

Ms Millward: Is your hand up? Are you there or there?

The Chair: I'm in front of you.

Ms Millward: You are the person speaking?

Mr Patten: Yes. My name is Richard Patten. I'm the MPP for Ottawa Centre, the riding in which you are here today.

Ms Millward: I won't be able to hear you. I'm sorry. The sound system is not working with my earphones. So you can go ahead but I won't be able to hear your voice.

Mr Patten: I'm sorry about that. Let me thank you for being here. It was a very thoughtful presentation indeed. I agree with the idea that after six years, we should not be in a position, once the legislation is through, for anyone to say, "Well, it is a good start." That would be a tremendous disappointment, and I'm sure the members on the committee, most of them, feel the same way. I hope when we get to amendments they will support the amendments that we hear from people like yourselves in terms of what is there.

You did identify an area—most people and certainly the non-government members feel that way—where there is little challenge to the private sector, especially for this government, which has such a good relationship with the big corporations, to come and pull up at the table and participate in that. Do you have specific recommendations related to involving the private sector in this particular piece of legislation?

Ms Millward: I believe that my presentation is very self-explanatory. I don't think I need to explain that to you. A businessman is somebody who wants to sell something, whether it is to a disabled person or not. Disabled people—

Interjection.

Ms Millward: What is this? No, I don't think that is going to work. Anyway, it is not for me to hear; it is for Richard to hear what I'm saying.

I believe that my presentation is very simple and self-explanatory. The question you're asking is so simple that it really doesn't need an answer. By the private sector, we mean business people. They would be happy to have the disabled community in their shops, in their businesses, using their services and their products if some barriers were now removed and future barriers did not exist.

The Chair: Mrs Millward, it's Marcel Beaubien, the Chair of the committee speaking to you. I will direct the next question to Mr Martin who's on your right.

Mr Martin: Over here. I don't really have a direct question to you because I think you're absolutely right. The points you make in your submission are clear and to the point. If the government is at all interested in taking these hearings seriously, they will indicate so by tabling amendments next week that will fix this bill and make it work for everybody out there who is disabled.

What I want to put on the record, because you, I think, highlight it so clearly, is the fact that the government in its haste to push this bill through before Christmas, after keeping us all waiting for six years before tabling it and the fact that it affects 1.6 million Ontario citizens, if we had—

Ms Millward: That's more than a year ago. It was 1.5 million.

Mr Martin: If we had waited until after Christmas and used that January, February and March period, we could have gone to Brockville, which is a suggestion that you made. We could have gone to a number of other communities across the province, in eastern Ontario, western Ontario and particularly northern Ontario, from my own perspective, and heard from people re the unique circumstances that are presented in those areas where disabilities are concerned.

The other thing that needs to be recognized here—and this is not casting any aspersions on the staff of the committee—is that when you are trying to accommodate, listen to and include people with disabilities, you've got to be aware of some of the unique circumstances for people like yourself in terms of your ability to hear and work very hard to make sure that the facility we use is acoustically friendly. I believe you also mentioned that the lighting wasn't good in terms your ability to read here. That's something else we probably could have dealt with more effectively had we taken the time that I think is there for us in January, February and March to actually have these meetings and have dealt with those things.

The Chair: Question, please.

Mr Martin: I don't have a question. I'm putting those issues on the table.

Ms Millward: Are your comments that you're making to me going on the record? Are they going to be written down and given to somebody who does have authority to take some action?

Mr Martin: They'll be written down. I don't think we are going to get much action except, on the question of the amendments, I hope that we will see amendments that will reflect that they've listened to the consistent message we are hearing here today and I suggest we will hear over the next week in terms of the speed at which these hearings are being held and the limited number of communities. I'm not sure.

The Chair: Mr Martin, I've asked you to pose a question. I have to go to the government side.

Mrs Millward, it's Marcel Beaubien, again. I will address the question to the government member Mr O'Toole, who's on your left.

Ms Millward: All right. There. I'll try to hear you.

Mr O'Toole: Thank you for your presentation, Ms Millward. I appreciate it. We have received it and it will be given every consideration.

Ms Millward: May I ask a question? Of the people who are sitting here, how many are elected representatives of the government of Ontario and how many are not? Can someone tell me?

Mr Spina: There are eight elected members.

Mr Patten: Five government members and three opposition members.

The Chair: On behalf of the committee, thank you very much for your presentation this afternoon.

Ms Millward: Thank you very much for having me.

1410

DISABLED AND PROUD

The Chair: Our next presentation this afternoon is from Disabled and Proud. I would ask the presenters to please come forward and state your name for the record. On behalf of the committee, welcome. You have 20 minutes for your presentation this afternoon.

Mr Charles Matthews: Good afternoon, everybody. Sorry for my voice. It is a little raspy. I lost it on Labour Day weekend during our muscular dystrophy telethon and I still haven't got it back yet.

You should have before you a copy of what we're going to be speaking to today. One thing we'll be taking out is the 11 principles, because I'm sure you're all aware of the 11 principles by now and you've seen them many times over. The 11 principles, though, will be addressed.

I wish to start by introducing ourselves. My name is Charles Matthews. I'm president of Disabled and Proud. Behind me is Jean Wyatt, vice-president.

We are Disabled and Proud, a group that represents over 200 individuals and groups in the Ottawa area. Those numbers are approximately 1,000 if you count the members of the groups as individual members. I was told yesterday that we've also been known as DAP, so we must be going someplace.

Disabled and Proud is a group of disabled persons run by the disabled and worked on by the disabled, and is a collection of voices that are of the disabled. Our group has grown to include the province, this great country of Canada, and also the globe through our club on the World Wide Web, in which we have currently over 60 members and groups.

Disabled and Proud was formed as a group of the disabled community who were frustrated with the problems our community was facing during a labour dispute our para system was having. Our stakeholders were being held hostage by this dispute, and we sought a way to take the proverbial bull by the horns and try to get our rights back. We were part of a group back then called Access Ottawa and only numbered four. But Access Ottawa attracted over 60 during this time and thus we had a larger voice. Access Ottawa held a rally or march, whatever you wish to call it, that literally shut down the rush hour public transportation drive home in May of this year. We really were surprised to see the support we got from the great citizens of this city. We had our service back within the week.

Disabled and Proud was formed right then and there, as many individuals liked what they saw and felt. They soon came to realize that Disabled and Proud represented only the truth and that what we stand for is equality and truth. We went on to represent our own group starting at the Ottawa 20/20 summit which was held here in Ottawa in the spring, and the rest is history.

Some of the accomplishments we have had so far are that we reshaped Parliament Hill with great co-operation of the federal government. I'll ad lib here and tell you

that you might want to read the current issue of Abilities Magazine, page 53, which you should all have a copy of. We have voluntarily conducted many accessibility studies, one of which was on city hall here in Ottawa. Of course the city didn't mention that it was Disabled and Proud that started this. We were responsible for the representation at the Ottawa 20/20 summit, and even Mayor Bob Chiarelli said that we, the disabled, were heard and the city will include the disabled in all aspects of work that the city will do from here on. As a result of this, they have now formed the accessibility advisory committee and other groups and subgroups. In our short time, we have accomplished so much, which I can relate at another time, as we have some important words to share with you today that are of more urgency than our introduction.

The ODA, Bill 125: the opening prayer at Queen's Park that we share each and every session has a sentence that we feel has not really been heard, but noticed ever so casually. These words are, "Guide us to understand the needs of the people we serve." The ODA committee has spoken for many years. Queen's Park has said they heard ODAC on November 23, 1999, but as evident in the tabling of this bill, it is quite clear that the government should revisit their prayer and truly open their hearts to what was asked for on that wonderful day. We felt special for a change, as we thought the government really started to stand up and take notice of what the disabled community was trying to do. I guess we expected a little too much. The 11 principles that we refer to constantly were expected to be heard loud and clear. I guess they were not.

Today we stand here to ask that the government really take note of the 69 pages of amendments that we, the disabled community—and I'll ad lib here that Disabled and Proud was part of this—through the collaborative efforts of the ODA committee, have come up with. David Lepofsky and the ODA committee have filed these separately, and these we stand by wholeheartedly.

I was in a phone conversation with Cam Jackson's office last week—and I cleared this with the secretary with whom I had the conversation. "Why does your group not acknowledge that this is the best thing that's on the books right now for the disabled community?" We replied, "The most important word we want to make sure is heard is the word 'but' and everything that is said behind the word 'but.'" We at Disabled and Proud say yes, this is the best that's been committed to by any government as legislation, but—and I repeat "but"—it is a far cry from what we expected and what we feel was a golden opportunity for the government of Ontario to show some true leadership by tabling what the disabled community needs and wants.

I have a couple of fillers here.

You know the 11 principles that we the disabled community and everyone else expected to be in the ODA. We were planning to go over them at this point, but there are other items that we'd like to discuss. If you're following this on paper, you might want to go to

the end of page 4. These are the 11 principles—and you all know them pretty well by now—that must be put back in an ODA or it will not be what the disabled people of Ontario need or want.

The government has stated that they are backed by some organizations, but with our contacts we find that their “buts” were not picked up either. As a matter of fact, we have a whole lot of organizations—and you know that a lot of them made a contribution at Queen’s Park a couple of weeks ago with a letter, those being, for instance, the Alzheimer Society, the paraplegic society, the Muscular Dystrophy Association, the Multiple Sclerosis Society, and so on and so forth. There were a lot of them, and they’re saying, “But it has to be stronger, more effective. They have to be time guidelines. There has to be something more there.” As a matter of fact, a whole lot of organizations feel the same way we do.

As the bill stands now, we get the feeling that as the federal government has passed this on to the provinces, the Ontario government is passing the buck on to the municipalities. This will not affect small places like Rockland. Rockland is a small town with a population of less than 10,000 people. A couple of our members are from there. They will not be covered. There will be nothing mandatory, not even the plans that populations of 10,000 people or more have to do. There will be nothing to really say that they have to do anything. As we see it, this bill will pass the responsibility on to 160 geographical areas in Ontario but not the whole province.

For many decades, all kinds of governments, as well as the private sector, have taken a guess about what we need and want. All we are saying is, listen to the disabled community and hear us. As it states in your opening prayer in Queen’s Park, “Guide us to understand the needs of the people we serve.”

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In closing, I have a couple of more comments. For instance, inaccessibility: a lot of times, it’s treated as if, “Well, it’s only a small thing we overlooked.” As a good example here in the city of Ottawa, it was brought out before that we have this fantastic O-Train. Yes, we were on that O-Train all day yesterday during all that snow, because we wanted to do an update on it before we came here today. The O-Train will be a fantastic mode of transportation here in the city of Ottawa once it’s fully accessible, but the ads have read from day one, during the opening speech of the opening ceremonies of the O-Train, that it’s fully accessible. Even up to last week, the ads went out “fully accessible.” If you get off at Carling station, you can’t get out of the station if you’re in a wheelchair or scooter. The elevator has never been in operation; there are only stairs. It’s things like this. They’re little oversights by the able-bodied community, not the disabled.

We find that there have been two barriers created so far with Bill 125. One was the fact of the second reading. Many of our members, including David Lepofsky with the ODA committee, were more or less mentioned. It wasn’t promised, but it was more implied that we would

be notified so we could be there, for instance, in regard to a second reading. We weren’t going to know until the morning of the second reading.

One thing that’s in Bill 125 actually hurts us. A lot of police here in the city of Ottawa have stated they will not enforce a \$300 fine for people parking in what we now call a disabled parking space. What are they going to do with a \$5,000 fine? This is the only thing that had any monetary value attached to it. We find it very strong and, if anything, it creates more of a barrier than it relieves.

I’m open now for any response or questions, and I thank you for your time.

The Chair: Thank you very much. We have approximately two and a half minutes per caucus. I’ll start with Mr Martin.

Mr Martin: Thank you very much. I appreciate the comments you’ve made here, particularly around the very important issue of notice and accessibility to the actual process at Queen’s Park and these hearings. We’ve raised that consistently over the last couple of weeks, that there’s no need to rush this, that it’s taken over six years to get to the table, so why don’t we take the time necessary to make sure everybody can participate, particularly those who are affected most directly? Then everybody could have their input so at the end of the day the government is completely clear as to what is required if they’re going to live up to the 11 principles of the resolution that was unanimously passed in the Legislature.

Having said that, and knowing of your involvement and some of the work you’ve done to be prepared to come here today, what would be the priorities for you in terms of government amendment to this act?

Mr Matthews: First of all, I’ll give you a little background. I have my business administration and finance from McGill. I’m an accountant and worked with the federal government for a long time in corporate tax. Unfortunately, I don’t do it in Ottawa any more. I’ve also taken a lot of courses in a lot of things, so I do know a lot about, for instance, the way Queen’s Park works, the way different legislation is passed through in the three readings and so on.

One of the rules that I presented before our membership, and they came back and said it sounded fantastic, was the rule on continuance. What we would probably have liked to see here is that continuance maybe be put on this, preferably before the 15th, before you pack it in, so therefore it can be carried on later or, as you presented before, maybe it could be dragged out into the new year to give us more time. But it seems that on the 11th it’s going back to Queen’s Park, with maybe one or two days of clause-by-clause, and then will be enacted into law. We feel it’s open and shut, but we would have liked to see something along the lines of continuance, where even if there is a leadership convention and you do bring in a new sitting at Queen’s Park, the 38th sitting, then it would have been able to be brought up and continued at that point. Does that answer your question?

Mr Martin: Yes. Thank you very much.

Mr O'Toole: Thank you very much, Charles and Jean, for your presentation. In looking at the background of Disabled and Proud, I commend you for your ongoing role to get the message out. One of the barriers is the understanding barrier, and I think you play a very important role.

Ottawa sets a good model of engaging people who during their real lives have to deal with things that many people who don't need those kinds of supports don't understand, as you've described with some of the current situation.

I know the province of Ontario has a very important part economically and in terms of population for Canada, but if you look at some of the references made to perhaps a higher order of respect for removing barriers, they often refer to the Americans with Disabilities Act as being a better framework. There again, that's a national theme. But regardless of where you choose to live or participate, you want to participate. That's what I've heard people saying. It shouldn't matter if you're in Newfoundland or Nova Scotia or Toronto. It's easier to pick on Toronto.

I think Quebec is the only jurisdiction, and maybe a bit in BC, that I've been able to discover—but what advice could you give to the federal government to raise that bar from your perspective, not me as a provincial member? We're in the city; we're in the capital of this country. You've just explained one example where a municipality can't do it on its own. I think some of the provinces certainly can't do it, and yet you want to have accessibility across this great country. What should the federal government do?

Mr Matthews: First of all, every province is going to have to have their own disability act. There's no getting around it with the Constitution. That means 13 different acts, of course. There's 10 different provinces and three different territories.

Yes, there is going to have to be something done at the federal level. We've already jumped you on that one. We've already been in contact with them back in March. We've been working with them because there's no province that's going to be able to tell Air Canada or VIA Rail or Parliament Hill what they have to do. But Parliament Hill, as I mentioned, has been very co-operative with us. They have reshaped all of the grounds at Parliament Hill. Unfortunately, buildings are not done yet, because that was going to be done the week of September 10, and we all know what happened on September 11. But this is still in the works and we're still contracted to go in there, free of charge, of course—when I talk about contracting, I don't want you to think I want to make money here. But once things settle down a little bit more on the Hill, we're going to—

Mr O'Toole: Have they set up timelines and deliverables, or is it "working in co-operation" kind of language?

Mr Matthews: Right now it's been "working in co-operation," with no red tape.

Mr O'Toole: That's what we're trying to do too, I think.

Mr Matthews: Well, the thing is, not really, from what we understand. We voiced our opinions of what we need, and if Bill 125 is the outcome of the no-red-tape acceptance of what we're saying, I'm sorry, but Bill 125, as far as Disabled and Proud goes, does not step up to the expectations that we had. It is the best thing that's on the books in Canada; we're the first ones to say it. But remember that word "but." It's not anything compared to what we expected. If we expected a dollar to buy a loaf of bread, we've been given 10 cents. If we take that 10 cents and go to the supermarket and ask for two slices of bread, I'm sorry; they only sell it by the loaf. So what we're saying—

The Chair: I have to go to the official opposition. Mr Parsons.

Mr Parsons: Mr Matthews, this question may be unfair, and if it is, just tell me, but the government has forced through a time allocation motion, which means there will be one more hour of public debate in the House before we vote on it. If the government allows no amendments—and if you look at the numbers, that's possible—if they allow not one single amendment, which is preferable to you and your group: no ODA or this ODA?

Mr Matthews: It's very tough. We need something on the books, but not this. I'm really divided. It's going to have to be a decision the Ontario government's got to make. It's not our decision.

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Mr Parsons: So you're saying this bill is tied with no bill.

Mr Matthews: No, I'm really in between the two. It's very confusing because, yes, we would like to see something there. But for instance, there's a five-year clause in there, that you have to visit it in five years, but is there anything where you're willing to say, "OK, we will visit it again next year." Maybe we can look at that, or maybe it should be every six months for the first three years until we get it right and the disabled communities say, "This is what we need and want; that's fine." If we agree and say, "The bill as is," it is possible it could be seven years from now until we'll even be able to talk about this again and the government will be forced to talk about it again.

So it's very tough to answer that question. We've got people in our organization who are looking at both sides. As is, it's not right.

The Chair: On behalf of the committee, thank you very much for your presentation this afternoon.

Is Mr David Green in the audience?

GILES WARREN

The Chair: If not, I ask Mr Giles Warren to please come forward. On behalf of the committee, welcome.

Mr Giles Warren: Good afternoon. My name is Giles Warren. Although I am a member of the Ottawa accessibility advisory committee, I am presenting here as an individual, as our chair will speak on behalf of the committee; in fact, he's already spoken.

First, I would like to thank the standing committee for allowing me to make this presentation regarding Bill 125. I would also like to thank Minister Cam Jackson for pushing this bill, which I suspect was not high on the list of priorities for some of his cabinet colleagues.

Because of my own disability, I have been active with accessibility issues for many years. I am sure other presenters will delve into the detail of this bill. Thus my presentation will mostly be general in nature.

I have always been of the opinion that a weak Ontarians with Disabilities Act would be worse than none at all, because the general non-disabled public would then assume the disabled were protected when in fact they were not. I have not changed that opinion. Thus I have real trouble with this bill.

I appreciate that Minister Jackson has spent considerable time and effort, and perhaps cajoling, to bring this bill this far, and I would really like to say nice things about it. Unfortunately, keeping to my principles, I must be honest. This bill is far too weak, with no enforceable areas and no involvement of the private sector at all, as far I can see. It also has no accountability. It calls for plans of all sorts, but plans are just that—plans—unless there is regular accountability relative to those plans to ensure that what was to be done in the plans was in fact done, or else reasons for their not being done.

Probably 95% of a disabled person's interactions are with the private sector, yet there is no mention of it except very peripherally. In fact, in a couple of areas, it goes out of its way to ensure it's not construed to cover the private sector. Changes to other acts and codes required by Bill 125 might have a small trickle-down effect on some accessibility aspects in the private sector, but there is no guarantee of that.

I would like to give the committee one example of an accessibility problem in the private sector that, in my opinion, could be helped considerably by inclusion in Bill 125. With the gradual demise of the full-service gasoline stations, I have been trying for about a year now to obtain information from the major oil companies about how they serve, or plan to serve, gasoline to their physically disabled customers who cannot pump their own gasoline.

Self-serve stations have, on a number of occasions, refused to serve me. Once at night on Highway 417, when I was low on gasoline, I could have been left stranded. The reply was, "We are not allowed to serve customers at a self-serve pump." That was notwithstanding the display of a provincial handicap sticker. At dual self-serve/full-serve stations, where three or four more cents per litre is charged at the full-serve pumps, the disabled person must pay the higher price, once again because attendants are not allowed to serve gasoline at the lower priced self-serve pumps. This constitutes price discrimination because the disabled cannot avail themselves of the cheaper offering. An offer that simply cannot be accepted is not a true offer. There are many easy, relatively inexpensive ways to avoid this price discrimi-

ation, but because there is no legal requirement to do so, the oil companies have simply ignored it.

Canadian Tire Corp, for example, which now has only self-serve stations, totally refused to outline their policy as to how they serve the disabled. Just as an aside here, I wrote a fairly lengthy letter, very polite, asking them how they intended to serve customers. Their answer was a one-liner that said, "We continue to build industry-standard stations." That was the answer to a request for information. That was all it said.

Other oil companies, to date, also have not provided any information on the subject. During this quest it has been suggested, to my astonishment, that as long as the disabled still had somewhere to buy gasoline at competitive prices, that is, roughly self-serve prices, then they should have no complaint. That would mean that in my own living area I could obtain gasoline at only three out of 16 gasoline outlets, and these three could soon be gone. Imagine telling a black person that only three of 16 stores in his area would serve him because he was black, but as long as he still had somewhere to buy his product, he had no complaint. Those stores refusing service or charging him more for the same product would find themselves in court with the speed of light. Yet that is what is happening to the physically disabled in this area.

This is true discrimination in its ugliest sense. In my opinion, not including the private sector in Bill 125 to prohibit discrimination such as this is omitting 95% of the job.

No one, least of all the disabled, wishes to put businesses into bankruptcy by catering to the disabled's needs. But to totally ignore the private sector makes the bill's value questionable. The bill must be amended in such a way that, in the long run, most private businesses would be accessible and any costs incurred would be considered simply part of the cost of doing business, as it is now for such things as automatic door openers, curb cuts at malls, special toilets etc.—driven, I might add, by firm requirements in the building code and other codes.

Another area, in the public domain, that I would like to see specifically addressed in Bill 125 is that of school portables. Because of an exemption in the building code, almost every school portable in Ontario is not accessible to a person in a wheelchair. I, personally, could not visit my own children's classrooms because they were in portables. And new non-accessible portables are added every year, thus creating new barriers. These non-accessible portables restrict not only access to students, but to disabled parents and disabled teachers. School boards must be prohibited from creating these new barriers and must progressively make all portables accessible. The building code must be amended to delete this exemption, and Bill 125 must be amended to address discrimination such as this.

Because the bill only covers municipalities of 10,000 people or more, one must assume disabled persons in smaller communities are not worthy of equal treatment. In fact, smaller communities often, because of very limited finances, offer the least accessibility to services and

buildings for the disabled. Their needs must be addressed in Bill 125.

In discussions, some people have stated that the act will be an overriding authority and that the details will be included in the regulations. However, as people who have a knowledge of such things will know, the regulations cannot stray from the content or intent of the act. They cannot cover other areas. The bottom line is, if it's not in the act, then do not expect it to be covered in the regulations. That cannot happen. For action in a specific area, it must be in the act.

Some people have also stated that once the act is proclaimed and it receives public attention, moral suasion will bring in changes. That is not an argument that appears realistic to me. The disabled have been around, and visible, for decades and yet here in the year 2001 we are begging the government and the private sector to consider our needs as citizens. When it comes to incurring costs, moral suasion does not work.

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In the private sector, businesses watch the bottom line very closely. On a number of occasions when I have asked a business operator why they did not do one thing or another to assist the disabled, the answer was always the same: "The market is tight and I cannot incur costs that my competitors do not." The oil companies have used that same argument. Also the car companies for years used that argument to avoid adding many safety features to the automobile. In the case of the car companies, only government legislation brought in the needed safety features. The answer seems simple to me. When all are compelled to act, then there is no unfair competition. Piecemeal and voluntary action in general does not work.

If the private sector realized the financial gains to be made by accommodating the disabled, they would be amazed. For example, we are a family of four and we do not shop, dine or purchase products where it is not accessible or where we feel we are not wanted because of my disability, and there are thousands just like us. In the scheme of things that probably means millions of dollars lost to non-accommodating establishments, not to mention the loss of convention dollars to any city where accessibility is not of paramount importance. As an aside, I believe that has happened a few times in some areas, where conventions have not come here from the States, not particularly to Ottawa but to cities without accessibility.

Specific areas in the Bill that I feel must be addressed are the lack of timelines for any action required and the lack of penalties. If one chooses, one can simply ignore anything required by the Bill, and the only recourse for an individual is to lay a complaint before the Ontario Human Rights Commission. My last complaint before the Canadian Human Rights Commission took seven years to resolve. That was one of my own and I lost.

My area of knowledge is generally with the problems for the physically disabled. However, I note there is a dearth of content in the Bill relative to other disabilities,

such as those for hearing, sight, intellectual etc. These omissions should also be addressed in the Bill.

I have also read the presentation made, or to be made, to this standing committee by the ODA committee with its many recommended changes. I fully support those changes and hope the government will see its way clear to incorporating them.

To conclude, I am very pleased to finally see a proposed ODA. However, to make it strong and effective, major changes must be made. I think with the goodwill of both the government and the disabled community we can make this bill, and eventually the act, one of which Minister Jackson, the government and the public will be proud. Thank you for your attention.

The Chair: We have two minutes per caucus. I'll start with the government side.

Mr O'Toole: Mr Warren, it was a pleasure speaking with you over lunch. I can assure you I wasn't attempting to influence your presentation, nor does it appear I did.

Mr Warren: No, you didn't.

Mr O'Toole: That's good.

Mr Warren: I have very strong opinions.

Mr O'Toole: I appreciate that you make some very strong observations, some of which have been reported before. I'll ask you a simple question: if there was one particular change, amendment or enhancement, whether it's on the enforcement side or the regulations side, what would you suggest without needing any—for instance, as I see the bill, there's a requirement, as you know, to review at five years. By the time they get the new directorate set up and rolling and find the model of relationship with the minister, the ministry and the directorate, we'll probably be in a review phase coming toward the five years. So the input I think would be continuous. But I want to hear today: if we were to go back to the House before Christmas and try to get this into law and get this moving, what would that change be?

Mr Warren: One change? I'd be torn because I think you need two things: you need some enforcement and you need to have the private sector covered. I wouldn't want to choose because I think they're both equally important, but if I had to choose, I would say you have to cover the private sector.

Mr Patten: Thank you very much for your succinct presentation. If I can just follow up on the last point, because that's what I got as your loudest message: the legislation identifies various sectors, municipalities and what have you, organizations, agencies, its own ministries etc, but it leaves out the private sector. I don't know why, quite frankly, because as you say—and you're the first one to say—"Listen, 95% of disabled people's experience with barriers is with the private sector. How could you leave that out at this particular stage?" If, as you reviewed the bill, you said, OK, there's going to be in one of the lead-ins the private sector, what would that look like? How would you describe that?

Mr Warren: I guess one would have to simply say that in the areas where various things are required to be done by the public sector—without going through line by

line, which I am not going to do—one would have to include making sure that you're not only talking about public sector buildings, public sector services etc, you're talking about the private sector as well, recognizing that the private sector can't do it all at once, as I said earlier in my presentation. No one wants to put a company out of business, that's the last thing anyone wants, but there must be some kind of force exhibited, to some extent, anyway, to make it happen in the private sector.

The Chair: We've run out of time. I have to go to Mr Martin.

Mr Martin: I appreciate some of your comments today. They reflect very clearly things I've heard both at home in my own community of Sault Ste Marie and certainly as I've talked to people with disabilities living in communities and what we've heard so far today, the fact that it's difficult in ways that we who aren't disabled can hardly imagine. I mean not being able to visit your children at school. I talked to a couple of people in Sault Ste Marie who can't visit their parents at home because they can't get into the house any more. It used to be that they were able to, but as their disability progresses, the bigger chair and all that kind of thing, they can no longer visit at home unless the parents are willing to put out the \$10,000 or \$15,000 to get the lifts, ramps and stuff like that in place. It's quite a challenge, but that's not what I wanted to ask you about today.

Given your answer to the government side on the question of the private sector, I can share with you my hunches of why we're not going to the private sector and saying, "Here are the parameters"—like you say, not driving them out of business because it might be considered to be politically tainted—but why do you think the government's not covering the private sector with this bill?

Mr Warren: Actually, I intended to answer the other gentleman earlier in that area. I think the government feels that with the various other acts, as I've mentioned here, and codes that are required to be changed in the bill, there will be a trickle-down effect because many of the codes will affect building which would often be private, stores which would be private—they'd have to get permits to do this, permits to do that, to build, to make sidewalks, whatever—and that somehow there would be a trickle-down effect from the changes required through the public sector that would eventually include the private sector sort of coincidentally but, in the last analysis, actually.

I personally don't think that's a good way to go. I think we need to be upfront and clear. We want the private sector included. That's an approach that's like a slow-motion train. Maybe someday eventually we'll get there, but I don't think it's very fast.

The Chair: On behalf of the committee, thank you for your presentation this afternoon, Mr Warren.

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DISABLED PERSONS COMMUNITY RESOURCES

The Vice-Chair: Our next presenter is Danielle Vincent, community development worker with Disabled Persons Community Resources, if she'd come forward now. On behalf of the committee, welcome. You have a total of 20 minutes for your presentation and what's left over will be divided among the three caucuses for questions. As you begin, please state your name for the sake of Hansard.

Ms Danielle Vincent: Good afternoon, Mr Chairperson and members of the standing committee. My name is Danielle Vincent. I am the community development worker with Disabled Persons Community Resources. I am also here to relay the regrets of the chairperson of community resource development committee, Esther Roberts. She is sidetracked at home. She lives outside Ottawa and, because of the wonderful weather we're having, could not be here today. I'm speaking on her behalf and also on behalf of Disabled Persons Community Resources.

Disabled Persons Community Resources is a community-based organization which promotes the integration and independence of persons with physical disabilities. We also provide community services and support to these individuals, their families and service providers in our community.

We are an integral part of an extensive community network which advocates for the promotion of social change and the prevention of social problems. As you can well imagine, we are taking an avid interest in the government's proposed Ontarians with Disabilities Act and how it will impact lives of Ontario's 1.5 million citizens who live with a disability.

We would like, first of all, to express our disappointment in learning that this important social issue would be reviewed by a committee dealing with financial affairs rather than social policy. We recognize that the proposed legislation will have financial repercussions, but we consider that the ODA needs to be an integral part of the social fabric of this province, not just its financial makeup.

We are also concerned about the short time frame the government is taking to push through this bill. Legislative debate to propose amendments to this bill in only one day will only dilute already toothless legislation. Solid amendments to a bill which the government claims to be the "vision for independence and opportunity for persons with disabilities" need to take time and not be resolved before the Christmas break. Ontarians with disabilities have been waiting far too long for this important legislation to see it passed quickly because it is a nice thing to do. Citizens with disabilities in Ontario have been waiting for over six years to have their rightful place at the table. We agree with our many community counterparts that sufficient time and opportunity must be

allowed within the legislative process to prepare, present and fully consider the necessary amendments to Bill 125. The proposed legislative timetable should not become a barrier in itself.

We would hope that the process of implementing an effective and meaningful ODA would involve more than providing dollars to much-needed services and programs. Ontarians with disabilities need to know and be assured that they are considered equal and fully contributing citizens in all aspects of life of this province, private as well as public. This proposed Bill 125 leaves many unanswered questions which we would like to address today.

Although Disabled Persons Community Resources supports the initial principles presented in Bill 125, as an organization working with persons with physical disabilities, we are very concerned and disappointed about its lack of substance, enforceability and accountability, especially on the part of the private sector in the province. I'm sure you've heard about that a lot today. As a Liberal Party critic said, "The act has a wonderful title but in fact removes very few barriers."

From our viewpoint, removing barriers means more than drafting an accessibility plan that will gather dust for years to come. In order to be effective, this ODA needs to have specific and mandatory requirements to remove barriers in employment, transportation, accessible housing, accessibility to private, as well as public, buildings and access to systems of communication.

The proposed bill lacks the opportunity for real enforcement on the removal of these barriers and prevention requirements other than for parking violations under the Highway Traffic Act. Although the bill mentions the development of several standards, guidelines and protocols, it does not define what they are exactly and if they are mandatory or not. For example, on the issue of government acquiring new property and goods, the only obligation the bill imposes on provincial or municipal governments is to "have regard" to the issue of accessibility. "Having regard" and "implementing" have different meanings and repercussions for the disability community in this province.

Bill 125 does permit regulations to be passed for removal of barriers, but there is no requirement to make any such regulations or no time limit set. We also feel it gives considerable authority to the government to unilaterally exempt government ministries, the broader public sector, agencies and the private sector from obligations under this bill. Bill 125 also imposes no accountability for the government when it is exercised. The government is not even required to give any reasons or rationale for its decision on this issue.

This brings us to the issue of the proposed provincial advisory council. While its membership is made up of members with disabilities, appointed by the cabinet, it is not required to consult with, nor receive any feedback from, the community representing persons with disabilities. Its role is to consult solely with the Minister of Citizenship, not the general population. Meanwhile, the

provincial accessibility advisory committee, made up mostly of persons with disabilities, is again not required to consult with persons with disabilities in carrying out its mandate. The municipal accessibility advisory committees will have that task, therefore proving once again the lack of leadership at the provincial level when it comes to disability issues.

Another very strong concern we have is that the private sector has not been included in any of the accessibility planning and provision of services and goods. This bill is lacking in true leadership and direction in how the private sector could be involved. It is unfortunate that the private sector, provided with specific rules and guidelines to follow, could have removed so many barriers to employment and services, is now relegated to the voluntary approach. We know from experience that does not work.

In closing, we would like to take the opportunity to thank the committee for your time. We would also like to request that you take a very strong message back to the government: please take more time to look at this very important legislation. Also, please ensure that a strong mechanism is established for ongoing community consultation, as you are doing today, on the future Ontarians with Disabilities Act. Take out the words "guidelines" and "recommendations" to the private sector and replace them with "requires" and "time frames" for the meeting of new standards that will allow all citizens of Ontario to take part in all aspects of life in this beautiful province. Thank you.

The Vice-Chair: We have roughly three and a half minutes per caucus, beginning with the official opposition.

Mr Parsons: Some groups have expressed a fear to me that if the bill is passed as it stands now, the nine million Ontarians who don't have disabilities will say, "Great, the problem is solved. It's looked after. We don't need to worry about it any more." I'm going to ask you the same question I asked an earlier group. Which is preferable: this bill with no amendments or no bill?

Ms Vincent: I would prefer a bill with more determined regulations. The bill as it is right now is very good in principle, but in action is a whole different story. It's a process that has started. They have put a foot in the door for Ontarians with disabilities, but it needs to be fleshed out greater than it is there.

Mr Patten: I have one question to ask, and that is on the cut-off of municipalities at 10,000 or more. What's your reaction to that?

Ms Vincent: I find that unfair, because the size of a municipality does not predetermine if that municipality has citizens with disabilities. You could have a smaller area. Many towns in this particular area don't have 10,000 people but have people with disabilities who would have liked to have had a say in how their municipality is providing services and programs. I have a problem with the 10,000. I think it should be all municipalities who express an interest.

1500

Mrs Claudette Boyer (Ottawa-Vanier): You've mentioned the lack of substance in the bill. Mr Parsons asked you if you want the bill as it is. Does that mean you would wish at this point to have more community consultation—is that what you're aiming at—having something to do with Bill 125 to be amended? Is that what you're saying?

Ms Vincent: As you have probably seen today, there's a lot of willingness for the community to be part of this process, not just at the outset as today—and I really appreciate that we have this opportunity today—but on an ongoing basis. I think there are a lot of things that we can do to help, as partners with the province of Ontario, to make this bill as valuable as it can be for all those individuals who have disabilities.

Mr Martin: You've made a very important presentation here today, one that I hope the government members—particularly Mr Spina, who has sat very attentively listening to you and will have some influence with his government—will take note of and make sure that those things you saw as important are at least considered and discussed, and hopefully we will see them by way of amendment next week when we go back to the Legislature and do clause-by-clause.

You mentioned a number of things—some referred to by my colleagues in the Liberal caucus—that we need to take time. I hear you saying that we shouldn't just simply out of hand discard this bill, because it's a start; it's at least the topic on the table. We're talking about it here in Ottawa today. It's been six years and then some in coming. We don't want, if there's any possibility at all, to miss this opportunity and what I hear you saying very clearly is that we should really be willing to take the time necessary.

We'll hear the argument, "It's been six years. We can't wait any longer. We've got to get it done. We've got to get in before Christmas and because of that, in order to get it through cabinet and all of those kinds of processes, we can't change it too much, because we've already gotten approval for this. If we change it too much, we may be into another whole round of debate and discussion in those very important circles." But what you're saying, and perhaps you can tell us again, is that in fact you, representing at least your organization and the community, feel it is worth waiting the extra three or four months to get it right.

Ms Vincent: I definitely think it's worth the wait. We've waited six years, but we want to have an effective ODA. From our viewpoint, if it is presented the way it is today, it's not going to have any guts to it. It's not going to have any value. It will not have impact on Ontarians with disabilities in this province.

Mr Martin: And that will require some significant and serious discussion and negotiation by the government with its partners, municipalities, the private sector etc, if they're going to do what you've called for, which is to take over the voluntary and bring in some mandatory enforcement.

Ms Vincent: I'll give you an example of one issue that is predominant in the bill, and I think it's wonderful in a sense. There's the intent there of providing accessibility plans for several buildings. As an organization that represents persons with physical disabilities, a big part of our mandate is to make sure that barrier-free access is provided to private buildings. The way it is presented now, they will draft an accessibility plan for a particular school, for example, and say, "OK, we need to get this done and this done." But there's no timetable set. There's no accountability. Who's going to be responsible for what? How much is it going to cost? How much time is it going to take? It's great to have accessibility plans, but when you do not have anything to follow up on and also get some public input on those accessibility plans—you might have someone who goes to a school who has a disability and that family member might be interested in providing some input in that sense. If the accessibility plan is presented the way it is in this Bill 125, it's just going to be a report. It's not going to have any impact. There's a lot of willingness from the community organizations to be involved; there's some expertise that could be provided. I think it's a matter of developing partnerships with the organizations that can help in some way, not just saying, "The government of Ontario has the sole responsibility for this." I think there's a willingness to participate in how this is done, and for the benefit of everybody, not just the government or the organizations. So I definitely think four months is not going to make a big difference in sprucing up, if you'll excuse my expression, this present bill and making it a little bit more worthwhile.

The Vice-Chair: We'll move on to Mr Spina.

Mr Spina: Thank you, Ms Vincent, for coming today. As Mr Martin pointed out, I was listening intently. There are a couple of things I wanted to clarify, and if you have a comment, I would appreciate it. We have a couple of minutes.

One is that this kind of act—and there are people here from the ministry and the directorate at this point who have been hoping, have been asked to prepare, have worked on various elements of a disabilities act for governments of all three stripes for probably 10 years or longer, I would think. When they are asked to prepare information or prepare draft legislation, frankly, they now have heard it so often that they have treated it with some degree of cynicism. But for the first time, they've actually seen a bill not only introduced but taken to public hearings.

It was intentional that we carry it this far, and I was happy that Mr Parsons asked the question, "Would you rather have this bill with some modifications or no bill at all?" I was frankly happy to hear your answer. It at least begins the process.

I understand your concern, as it came from others, that elements of the disabled—who the disabled are in fact defined as, the timetables for implementation, accountability, enforcement, all of these issues—are empowered by the act. We felt, as a government, that the act ought to

be implemented and passed with appropriate amendments. This is why we wanted the public hearings, because no act is perfect, regardless of who puts it on the table. That's why it was important to get input from people like yourself and these other ladies and gentlemen who have come to us with very realistic elements of disability accessibility.

I was happy to hear you say that the principles of the act should be fleshed out, and I would suggest to you that that is the purpose of the regulations, to specifically flesh out those details. That's why we wanted to get them in. For what is not able to be fleshed out in the regulations, we want to ensure that amendments to the bill itself would empower those regulations to be fleshed out and in fact then allowed to be implemented. So even though the bill may, and hopefully will, be passed before Christmas in its amended form, there will be some time for further consultation to be able to flesh out the details that you and others have so eloquently brought before us.

I put that before you and I thank you for your perspective on it. You probably have a couple of minutes if you want to respond.

The Vice-Chair: In fact, Joe, you did run well over your time, but we're going to give her some time anyway.

Ms Vincent: I'm encouraged that you will be doing more consultation on this. As I say, not to defeat all the work that has been put through this bill, because I know there was a lot of consultation prior to drafting this Bill 125 for several years and I think it is a good start, but it needs to be firmed up a little bit more, and I'm really encouraged that further consultation will take place on this. That's very good.

The Vice-Chair: On behalf of the committee, thank you for your interest in coming forward with an excellent presentation.

Ms Vincent: Thank you for the opportunity.

The Vice-Chair: Our next presenter is scheduled for 3:30. We understand she is unable to make it here until 3:30, but just in case she is here early—is Ms Penny Leclair present? OK, seeing that she isn't present, I guess the committee will recess until 3:30 or possibly until she arrives, if committee members don't go too far away.

Mr Patten: Mr Chair, was there another person who asked to present?

The Vice-Chair: There was one. Maybe I should ask. Is David Green here? There was one that wasn't confirmed. I guess since neither is here, unless there are objections from the committee members, we'll stand recessed until 3:30 or until Ms Leclair should appear.

The committee recessed from 1511 to 1531.

PENNY LECLAIR

The Chair: If I can get your attention, I'd like to bring the committee back to order. Our last presenter is present. Ms Leclair is sitting at the table, so on behalf of the committee, welcome.

Ms Penny Leclair: Can everyone hear me all right?

The Chair: Yes.

Ms Leclair: That's fine. Please indicate, because I don't hear my own voice. I sometimes forget and I start to sort of whisper rather than talk. So if I'm becoming a little hard for you to hear, just yell.

Today I'm with Jillian, who is a professional intervener. My disability is that I'm deaf-blind, so an intervener is essential. I couldn't be here today, because I wouldn't be able to communicate with anybody, without someone to help translate. I was really lucky to find anyone at all, because there are only five people in this whole Ottawa area who can do my special way of communicating, and those people serve about 100 people in this area.

For me to be here today, I was given four days' notice, and four days isn't enough. I'm really lucky that this person, Jillian, who is with me today, almost ran here to do it, because she knows the importance that I feel. Without her help I wouldn't be able to do what I'm doing, so I publicly thank Jillian.

I would also like the government to be aware that in their rush to fulfill a mandate of rushing legislation through, they've created a barrier for disabled people. The barrier they create is not allowing enough time. I am not fully informed. I received a Braille copy of this legislation two weeks ago, and in that time I've had to read that legislation and try to understand it. If I have a question, I require intervention to make a request. I didn't even know who to go to to understand the words. So the government has really caused a barrier even in the way they have introduced this and rushed it through.

That's my key point today; it really is. It's disrespectful. It doesn't take disabled people into consideration. We all have levels of what we're capable of doing. I am capable of understanding if I have the time to really look. Yes, I've read the bill itself, but I didn't get to read what other people's comments were. I can't listen to the radio, I can't listen to TV, so what is my perception? I live in an isolated world compared to most people. I do the best I can, but I certainly didn't expect this government to put this on the table so quickly and not allow people to respond, to understand and to digest.

What is this bill? I question that it is even a bill. Why do I question that? Because I don't see anything in this bill that says how these things will be—how will barriers be removed? There's nothing in this bill that says how it will be done. There's nothing in this bill that says what consequences would happen if someone just refused to remove a barrier they could remove. So I don't know how much of a law it is.

It looks neat; it looks nice. It's nice and pretty; it's all laid out. The words are there but putting the words into action, the actual plan—there's nothing. It's a skeleton that's kind of a step without a plan. The disabled people in this province deserve better than that—a lot better.

We can improve this plan, we can work together, but not on a rushed agenda. Certainly this government can give disabled people a little more of their agenda to create the type of legislation that will be meaningful.

This province is taking a step forward in recognizing that disabled people need some kind of legislation. They've recognized it but they don't really want to take that step. They are wishy-washy: "We wish everything were like this but we're not going to say how it's going to happen." That's not good enough; nowhere near good enough.

You have a lot of disabled people in this province with a lot of technical know-how or expertise who can give input, but you really haven't capitalized on asking for that input. You created a bill without really asking for people. You've gotten a lot of response in a short period of time, but that could have been something built into the whole thing originally, and it wasn't.

I request personally that this committee ask the government to slow down. Take the time to do this right. Let's show Canada what Ontario is capable of doing. Let's do it right. Let's make a bill that we can really be proud of, not just a bunch of words. Let's make it something that is going to make a difference. Right now this bill would make no difference. We want to make the difference with this bill. We want to really create leadership and say that you care to do something that says something will happen.

I have provided Susan with an e-mail of my presentation. I didn't go through it word for word because you can read it yourselves. I just took parts of it to present to you today.

I would like to thank you for inviting me to speak and I certainly would like to thank you for the opportunity and for your time to listen to my words.

The Chair: Thank you very much. We have approximately three and a half minutes per caucus. I will start with Mr Tony Martin, who is the representative for the third party. He's to your right.

Mr Martin: Thank you for taking the time to come today and to share with us in the very concise and clear way that you have.

The first point that you make, and I think probably the main point that you make, is indeed very important. What I hear you saying—and perhaps you can correct me if I'm wrong—is that we have on the table here the beginning of a process that could have some integrity to it if the government were willing to take the time to listen to those who have the most expertise and practical experience in this area and to in fact do it right, make the amendments that are called for and required.

The bill as it stands is really useless, it doesn't do anything, but it has the potential to be amended. We have to be willing, after waiting so long—and I won't argue with the government members who will say that all of us are guilty here; when we were government we didn't do it, nor governments before that. It's been six years now that we've been waiting for this government to deliver. It's on the table. We're having the discussion. There's potential there. Let's get it done, but let's take the time to make sure that we do it right. Is that what I heard you saying here today?

1540

Ms Leclair: Yes. I think it's important, now that the government has expressed a willingness to do something in an act, to now create it in a meaningful way. I don't think they've created it and I don't think we've taken the amount of time it would take to make a bill like this.

They started. If we had started three years ago with this process we could be further along, but we didn't. If you're really going to start the process, let's see the process. Let's find the plan that's going to make it happen. A document full of words isn't going to do it, because we haven't worked together enough. We need more time. There's no point in rushing a bill that will do nothing through the House.

There's nothing in here that says how things are going to be achieved. In what way would this bill make a difference? You would have to ask yourself that. I, in my limited knowledge and experience, do not see how. I see lots of words but I see no way of exactly how it's going to be done. There are no consequences. If this is a law and somebody breaks it, what then? There are no consequences. The government is saying, "Gee, we would like to see this happen," but they don't want to put the muscle behind those words. I have no legal background but I just say what I feel, and I think that most people are feeling the same way. They have created a bunch of words but they haven't created the muscle. There's nothing in it that says it will happen. I'm not looking for a guarantee but I certainly would like to see a plan within a law as to exactly what would happen and when.

Yes, you're right: more time, working with the people. We haven't been asked for our suggestions. We get to give them in a hearing, where you're going to meet four times, or something ridiculous, and try to see people within a ridiculous amount of time to acquire suggestions and understanding. Really, your role should be about a month long and you should be meeting with several people. But that's not what's happening. Everybody's rushing this thing through. That's not right. That's not the democratic way of doing things.

The Chair: We'll go to the government side. They're on your left-hand side. Mr Spina.

Mr Spina: Thank you, Ms Leclair, for joining us today. It is greatly appreciated. Your input is important as part of our considerations.

I want to assure you that there is much time available. This bill has been started just by this government three times before, so the original consultations have taken place. Why it seems that it is being rushed at this point is that we want to ensure that the legislation for a disabilities act is implemented and passed and not lost once again, not just by our government, but it also has been lost by other governments as part of the process of government.

The time that you and many others have been seeking is available as part of the process of creating the regulations for the bill. There are many elements of this bill and clauses which will empower those regulations to define some of the elements that have been asked for,

defining which disabled qualify, define the time frames for implementation. They can define the responsibility of the provincial government, or of the municipalities, or of people surrounding the disabled. There are important elements of this bill which do create and authorize or empower the various bodies to be able to implement what we think can and will be a good bill. If we are successful in passing the bill by Christmas, we then have the luxury of the time that many people want, of a few months to be able to do further consultation in the development of the regulations.

So we thank you, Ms Leclair. If you have any comments, they would be welcome.

Ms Leclair: My only comment is in communicating with the government. This communication took three years to get here. It took three years for the government to come up with something called Bill 125. So if it took them three years, why do we have to respond within three weeks? If it took that long to make a wonderful document that's going to be that meaningful, then why don't we deserve the kind of time to absorb it and to really understand it and to ask questions of people? Is there a 1-800 number where I could ask questions about how this would be achieved, or someone to explain, whoever wrote it? No, there's none of that.

I get pretty things in the mail about how wonderful the bill is. That must have cost a lot of money. I would much rather be able to have the time to sit down and figure out for myself what I think of this bill, to come up with solutions, but in particular to understand it. I am not saying I understand it, because I have not been able to read a lot of information other people have had. What I have read, which is the bill, doesn't indicate to me that it is going to happen in a significant way.

I question, why did they not make any of it enforceable against the private sector? The government does not have more money than the private sector has. That sends a message in itself. Why did they just make it for the government? Why don't you say that these things are removable for all people? The government doesn't have more money. They can't afford it more than the private sector. It's not going to put people out of business. We're reasonable disabled people. We don't expect people to go out of business to serve us, for God's sake. So it's the kind of implied—well, it doesn't make a lot of sense. It's a mixed message to me. It causes me a lot of confusion as to what the heck is going on. Do you really mean anything by this bill? If you can do that, what does it mean?

Again, it's the ability to communicate on the type of time frame that allows people to feel comfortable with what's going through on the process.

The Chair: We'll go to the official opposition for the last question, and they will be on your right. Mr Parsons.

Mr Parsons: We had not had any indication, until a few minutes ago, that the government was going to consult on the regulations. We'd had an indication previously they wouldn't, so this is good. However, we need to caution that regulations do not fundamentally change. The regulations cannot make it apply to the private

sector. Regulations cannot make it apply to municipalities under 10,000 if the bill says it does not. Regulations that in a sense provide for the process do not change the substance of the bill.

Given your concerns, very legitimate, serious concerns, about it being rushed through—and I agree with you; I'd like to get rid of the generalities and put a face and a name to it—my question to you is, if this bill is rushed through without amendments, does it improve your life in any way? Will it remove any barriers for you?

Ms Leclair: Well, I'm not a lawyer. I would have to be a lawyer to find the key to this thing. Right now I don't see any keys. I see nothing substantial. I see words telling me how much the government cares and they want to do this and they want to remove barriers, but I don't see how. So because I don't see that, I don't think it'll make any difference.

There's no enforceability. What would happen if someone decided they don't want to give me access? It says the government "will," but it doesn't say what would happen if someone does. Would it tell me they'd lose their job? For most things, like the Blind Persons' Rights Act, if I'm denied access, the person can end up paying a fine or something. There is something I can say: "Look, you cannot deny me access because there's a law." With this, there's nothing. There's nothing enforceable in it.

I really don't have the expertise to talk a lot about "how to," but I know there's a lot of that expertise out there and I know that people have been scrambling trying to understand this and give you a response within such a short period of time. We have not, as a group, had the benefit of listening to one another. Because we're a democratic society, we sit and listen to one another. We influence one another. We then come up with brainstorming ideas. We haven't had the opportunity to do that here because there hasn't been enough time. People are scrambling, trying to grasp what it is, to figure out what would make it better and we really haven't talked to one another enough to make it the best it could be.

If we had been given this two years ago or a year ago and we'd talked about it, it would be different. But all of a sudden the communication comes, and then this is going to be rushed through the House. Why? Why do you have to rush it? Why am I such a short thing on the government's agenda that they can't slow down and really listen to what people want and have to say? We wouldn't have to hold this hearing right now and rush this thing through if the government had said, "Look, here's what we're going to do. Please give us your feedback." Give us a place to give that feedback. A six-month period, so what? Let the six months go by, let people have a say, bring those things together, get some people working together on committees. There are other ways of doing this rather than to rush it through for whatever political agenda. It's not an agenda of concern. There's a political thing behind this, or whatever. All of a sudden people want to move right away. We're going to

give you a communication and now we're going to just rush it through. It makes no sense.

The Chair: On behalf of the committee, Ms Leclair, I would like to thank both of you for presenting in a most impressive way.

Ms Leclair: You're welcome.

The Chair: This committee will adjourn to Windsor on December 4 at 9 am. We are now adjourned.

The committee adjourned at 1554.

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Ontarians with Disabilities
Act, 2001

Comité permanent des finances et des affaires économiques

Loi de 2001 sur les personnes
handicapées de l'Ontario



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ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

STANDING COMMITTEE ON
FINANCE AND ECONOMIC AFFAIRSCOMITÉ PERMANENT DES FINANCES
ET DES AFFAIRES ÉCONOMIQUES

Monday 3 December 2001

Lundi 3 décembre 2001

The committee met at 0900 in the Promenade C Ballroom, Casino Windsor Hotel, Windsor.

ONTARIANS WITH DISABILITIES
ACT, 2001LOI DE 2001 SUR LES PERSONNES
HANDICAPÉES DE L'ONTARIO

Consideration of Bill 125, An Act to improve the identification, removal and prevention of barriers faced by persons with disabilities and to make related amendments to other Acts / *Projet de loi 125, Loi visant à améliorer le repérage, l'élimination et la prévention des obstacles auxquels font face les personnes handicapées et apportant des modifications connexes à d'autres lois.*

The Chair (Mr Marcel Beaubien): Good morning, everyone. I would like to bring the standing committee on finance and economic affairs to order. I would like to point out that today is the International Day of Disabled Persons. Also, for the information of the audience, we have copies of the bill available at the back of the room in Braille, we have audiotapes, we have disks, we also have the bill in the French version, plus we have copies in large print.

ONTARIANS WITH DISABILITIES
ACT COMMITTEE,
WINDSOR/ESSEX COUNTY CHAPTER

The Chair: Our first presentation this morning is from the Ontarians with Disabilities Act Committee, the Windsor-Essex chapter. I would ask the individual to state your name for the record. On behalf of the committee, welcome. You have 20 minutes for your presentation this morning.

Mr Dean La Bute: Good morning. My name is Dean La Bute. I'm the chairman of the Windsor-Essex chapter of the Ontarians with Disabilities Act Committee. On behalf of the committee, I'd like to welcome you to Windsor today.

I have had a standing quid pro quo with government standing committees over the years, and that is the following: that I would not make submissions in writing to the standing committees until they provided to me the alternative format that I required to access your information. I'm happy to say that this committee and the government of the day have provided your bill, Bill 125,

in alternative formats to the disabled community. Therefore, in recognition of that, you have before you printed copies in your format of our submission to you today.

In addition to that, I have for Susan to pass on to you an audiotape copy of our submission, a CD disk of our submission, a printed copy in 15-point print—which is the standard print by the Canadian National Institute for the Blind—and for any panellists who may be visually impaired, large 20-point print. In addition to this, I also happen to have for the record a copy in Braille of our submission today.

Once again, on behalf of the Windsor-Essex chapter of the Ontarians with Disabilities Act Committee, I welcome this committee to Windsor. This is an important day for this chapter, for we have worked long and hard for an Ontarians with Disabilities Act. Our chapter was formed in November 1994, and ever since the formation of this chapter, we have been most active in this community and have had community support in our work toward a strong and effective Ontarians with Disabilities Act. We have worked in conjunction with our provincial chapter, headed up by David Lepofsky, in making a submission to the government party and the opposition parties going back to April 22, 1998, where we presented to the government and the opposition parties a submission that we fondly refer to as the Blueprint for a Strong and Effective Ontarians with Disabilities Act. It was within that document that we brought forward the issue of inclusion of persons with all disabilities, including physical, mental, sensory, visible and invisible disabilities. Those categories are represented in the membership of our chapter in Windsor and Essex county.

As articulated in the brief before you, over the course of these six years we have had many events staged in this community to bring forward to the community the need for a strong and effective Ontarians with Disabilities Act. As outlined in the document, we've had parades, we've had marches and we've had educational seminars. We've had an extensive, close working relationship with the media in this community where we have held town hall meetings on the issue of the need for an Ontarians with Disabilities Act. We've been on radio programs where we have literally had call-in shows for hours on multiple occasions addressing the need for an Ontarians with Disabilities Act.

You will find that there is a continued commitment in this community for such legislation that is not met by any

other community. To quote David Lepofsky, the best ideas, time and time again, have come out of the Windsor-Essex chapter. Time and time again we have led the way in this province to bring this issue to the forefront.

Our submission today, I would like to say, is on behalf of our members, their friends and families and our community and, I would like to add, in the memory of three members of our committee, who were integral to the success of our committee, in that we've lost these members over the course of this past year. That is the nature of disabilities. People with disabilities deal with many things in their lives. Over the course of this past year, I must regrettably inform you that we have lost Dr Sam Frio, who was our expert on the Americans with Disabilities Act; Mr Graham Davies, a gentleman who worked very hard in our committee, who represented well the HIV/AIDS community and who headed up our newsletter and our Web page; and Mr Mike Lawson, who recently died, and was chairman of our membership committee and, as the chair of the Windsor-Essex injured workers group, had a deep devotion to the need for a strong and effective Ontarians with Disabilities Act. Each of these gentlemen is truly missed by our chapter and by our community and each of these gentlemen was under the age of 50.

Our submission today covers six areas, followed by eight recommendations. The areas we have identified in this brief we maintain will enhance Bill 125. We readily acknowledge that this government and this minister have brought forward in this country the very first disability act in Canada, and they are to be commended for that. But we also maintain that this bill requires substantial amendments to make it a strong and effective bill to meet the needs of more than 1.6 million Ontarians.

As for the areas of our brief that are covered off today, they include the demographics of Windsor and Essex county. They also include the issue of mandatory versus voluntary barrier removal; the issue of resources; the role, function and authority of the access advisory council; the private sector; and last, but not least important, the role of the federal government. We've clearly identified these areas because these are the areas that will enhance this bill and impact upon the lives of persons with disabilities on a daily basis.

The first component of that: the demographics of Windsor and Essex county are a microcosm of the province of Ontario. You'll find in our submission that the population of Windsor and Essex county is approximately 350,000. Of that 350,000, approximately 22% of the population are identified by the Windsor-Essex United Way as seniors, those who are 55 years of age and older. It is worth noting that 18.3% of the population in Windsor and Essex county are people with disabilities. To reflect the ethnic diversity of Windsor and Essex county, we rank third in Ontario, with more than 10% of our population identifying themselves as visible minorities.

What is critical about these figures is the changing demographics within our community, the province and

this country. It is projected by both our Essex county United Way and by Stats Canada that by the year 2015, one in four citizens of Windsor and Essex county will have a disability. Another interesting figure that will impact upon the need for a strong and effective Ontarians with Disabilities Act is the fact that, according to Stats Canada, Canada is unique in the world, where 34% of our population are baby boomers. Baby boomers are those born from 1946 on through to the early 1960s. That first wave of baby boomers has turned 55 this year, and if you think that we are pressured now on the goods, services and facilities in this community required to meet the needs of persons with disabilities in the area of health care, for example, in the area of transportation, in the area of employment and training, in the area of social housing, you haven't seen anything yet, because as the baby boomers move along that continuum, it will only increase the demand for strong and effective legislation. That is why we have brought to your attention the demographics on Windsor and Essex county.

0910

As for the issue of mandatory versus voluntary barrier removal and the issue of resources, our first recommendation of eight addresses this issue. Our first recommendation is that the Ontario government must set forth in regulations time limits for the development and implementation of plans for the removal and prevention of barriers.

Recommendation number 2 calls upon the Ontario government to provide adequate funding for those organizations identified in the act to implement their plans for barrier removal and prevention. In our opinion, this is absolutely critical. The fact of the matter is that those organizations identified in the legislation require funding to assist them to implement those barrier removals, to implement the plans for barrier removal and prevention of barriers. That is why we are absolutely clear in our opinion that these recommendations must be reflected in the amendments brought forward to Bill 125. As articulated in our document, we clearly state the rationale behind this, and you may read that for yourself in the document.

Our third recommendation addresses the access advisory council. It's our recommendation that the government of Ontario give the access advisory council the authority and mandate to (a) determine benchmarks and provincial standards for barrier-free communities, (b) advise the Ontario government and its ministries on disability issues and the development of regulations, (c) educate the government and the general public on disability issues, (d) monitor the implementation of guidelines and plans for the removal and prevention of barriers and (e) advocate for a barrier-free community.

We feel that these changes must be implemented to strengthen the goal of the access advisory council. Without these changes being brought forward and made part of the act, it will be but an advisory council. Advice is good, but to have credibility in the eyes of the government, to have credibility in the eyes of the ministries, to

have credibility in the eyes of the public and to have credibility in the eyes of the disability community, this access advisory council must have these authorities and mandates to be effective and to meet the needs of 1.6 million Ontarians who demand that they be recognized under law.

Over and above this, recommendations 3, 4 and 5 apply to the access advisory council. The next recommendation is that the access advisory council must have adequate resources to monitor the stages of implementation in communities across Ontario with the full authority to issue a public annual report in alternative formats on the progress of barrier removal and prevention. And last, as it applies to the council, the membership on the council must be representative of consumers and major disability advocacy groups in Ontario. We feel that these recommendations 3, 4 and 5 will strengthen and enhance the role of the access advisory council and in fact give it the ability to do its job properly.

As for recommendations 6 and 7, they apply to the public sector, for in the life of a person with disabilities our daily encounters in the community take place principally within the private sector. It is not that often that we deal with the government of Ontario or municipal governments, but rather on a day-to-day basis we deal with the private sector. Therefore, recommendations 6 and 7 address the issue of the public sector. Currently, based upon our briefings with the minister—and I had the privilege of meeting with Minister Jackson on a consultation on the bill—it is my understanding and that of our chapter that this bill will extend over a period of time to all sectors, which would include the private sector, over the course of the next 10 years. We acknowledge that. In our Blueprint for a Strong and Effective Ontarians with Disabilities Act, we recommended that we did not want this to be brought about within one week or one month or one year, but we acknowledged the need to phase this in through the means of education over the course of time so that everyone will be on board at the end of the day, and for us, the end of the day is no longer than a maximum of 10 years for phasing in.

Therefore, the government of Ontario, by regulation, must develop guidelines and timelines for the private sector for barrier removal and prevention. Recommendation number 7 is that the government of Ontario must provide the private sector with incentives, that is, financial incentives, to remove barriers and for the prevention of barriers. This is absolutely critical. This may be in the form of grants, tax credits. You are bright, articulate, intelligent people. You can apply your own rationale as to how to bring this about, but it must be done.

Recommendation number 8 does not apply to Bill 125, but rather we call upon the Ontario government to demand a meeting with the government of Canada to commence work on the creation of a Canadians with Disabilities Act. We feel that this is critical to complete the circle so that it is totally inclusive in the process of meeting the needs of persons with disabilities in the province of Ontario. There is a term of “collateral

benefits.” By having the federal government brought on board, it will act as a catalyst for the other provinces in our fine country to follow the lead set by Ontario in bringing forward a strong and effective Ontarians with Disabilities Act.

We truly believe that with the incorporation of these recommendations into Bill 125, we will have an act that will meet the needs, now and for the foreseeable future, of people with disabilities. We will settle for no less. It is imperative that the federal government, as I’ve stated, be brought on board to complete the circle. We are a growing legion of people in this community and in this province. Our rights are guaranteed to us under the federal Charter of Rights and Freedoms and also under the Human Rights Code. These are not privileges we are requesting but rights we are demanding.

Therefore, in conclusion, I would like to say the ball is now in your court. We have spoken. We now ask our government to state that you have listened, you have heard what we have said and you have taken it with an open mind and an open heart and will act on our recommendations to strengthen this bill. I’m open for questions.

0920

The Chair: Thank you very much. We have approximately a minute per caucus and I’ll start with the government side for a brief question.

Mr Ernie Hardeman (Oxford): Thank you very much for the presentation. I was just wondering, with your recommendation number 8, to bring the federal government forward to implement a disabilities act for all of Canada, is that the answer for all of Canada? Do we need first one in each province and then one nationally, or should we be working with the national one?

Mr La Bute: I’d like to answer that. As you may recall, in the United States they have the Americans with Disabilities Act, but their structure is such that what impacts on the day-to-day life of a person with disabilities in the United States falls under federal jurisdiction. But, frankly, under the Canadian structure what impacts on the day-to-day lives of persons with disabilities falls principally under provincial jurisdiction. There are areas, such as transportation and employment, that fall under the federal jurisdiction and therefore it’s imperative for the areas that fall under federal jurisdiction to be addressed under a Canadians with Disabilities Act, to work in concert with a strong and effective provincial law.

Mr Ernie Parsons (Prince Edward-Hastings): An excellent presentation. Just a quick question. As you said, the federal government needs to have a strong role. This bill provides for municipalities to have a role, but only municipalities with a population of 10,000 or over. I’m interested in your comment on whether the municipalities should be separate in their efforts or whether there needs to be strong provincial control for everyone in Ontario.

Mr La Bute: I look at it this way, Mr Parsons. The fact of the matter is that each level of government has a role to play. It’s like a fine symphony orchestra. To have great music, you have to be working in coordination with

one another to bring forward the sound that the audience will enjoy. We need all three levels of government to work in concert with each other to meet the needs of the population of Canada.

Keep in mind that this law, Bill 125, addresses the needs of persons with disabilities, but there's a residual benefit to this. Everyone in the province of Ontario, everyone in this country, will benefit through the enactment of such a law. It is not just the disabled who make use of ramps, but a mother with a child in a stroller and one in tow certainly benefits from the ramp as opposed to having to go up stairs. There are many other areas that we look upon as having a revolutionary concept. It's called common sense, and I believe the government members would recognize that. The fact of the matter is that what we've put forward in our recommendations for enactment as amendments to Bill 125 are revolutionary in that it is common sense. Each one of them makes sense and enhances the quality of the bill to meet the needs of the population of Ontario.

Mr Tony Martin (Sault Ste Marie): Thank you very much for your presentation this morning and the obvious effort that has gone into this set of recommendations. You have been working on this for the past six years, you indicate, and obviously see the bill that has been tabled as having some shortcomings. You've made, I think, six excellent recommendations—

Mr La Bute: Actually, Mr Martin, there are eight recommendations.

Mr Martin: I'm sorry. Yes, you're right, eight excellent recommendations. The question I have for you is, if the government doesn't agree to these recommendations, is the bill worth passing?

Mr La Bute: We have given this considerable thought and discussion and we are of the opinion that the government of the day is open to recommendations, is open to amendments. We call upon the government members and the opposition members to work in unison to bring about these necessary amendments to the bill. With these amendments, this bill must be enacted, and the sooner the better. It is not to be withdrawn. If there are absolutely no amendments, we still look forward to this bill being passed. But in all frankness, gentlemen, we have been working at this for six years. We will continue to work at this, be it with this government or the following government. We will not quit. We are here for the long haul for a strong, effective Ontarians with Disabilities Act. Whether this party, the government party, forms the next government or one of the opposition parties, we will be knocking at your door to enhance, to strengthen whatever legislation becomes law in Ontario.

The Chair: On behalf of the committee, thank you very much for your presentation this morning.

Before I call on the next presenter I would remind members that checkout time is 11 o'clock this morning. Also, instead of having a break, at 11:40 if you could put on your agenda that the Multiple Sclerosis Society of Canada, Ontario division, will be making a presentation.

WINDSOR ADVISORY COMMITTEE ON DISABILITY ISSUES

The Chair: With that I'll go to our next presenter, which is the Windsor Advisory Committee on Disability Issues. I would ask the presenter to please come forward and state your name for the record. On behalf of the committee, welcome.

Ms Carolyn Williams: Good morning, ladies and gentlemen. I am Carolyn Williams. I am Chair of the Windsor Advisory Committee on Disability Issues. I just want to start out by saying that our advisory committee fully supports the eight recommendations that the Ontarians with Disabilities Act Committee, Windsor-Essex Chapter, just put forward to you. We also are fully in support of the complete package of amendments that David Lepofsky has, I believe, already presented to you. Today I just wanted to talk a little bit about some personal issues and some municipal issues.

I was on the Internet this week and I was looking at certain areas of the ministry. I see that we have core business, with women's issues listed there; we have core business, seniors' issues listed there; core business, citizenship issues, during the 2000-01 budget. I see a lot of money allocated to all sorts of issues: citizenship, \$78 million; women's issues, \$16 million; citizenship, \$35 million; seniors' issues, \$2 million; regional services, \$7 million; and the administration of the ministry, \$18 million. However, I don't see any money allocated for disability issues. I'm sure it has come out of some pocket someplace, but I don't really see where.

I'm not disappointed with the act as it stands. I think there is room for a lot of improvement. I'm especially concerned about financing some of these changes. Our small committee has been operating for 20 years. Our budget last year was \$29,000. Actually, we had \$7,000 surplus, so it came in at \$36,300. That's not a very large amount of money but we've done quite a bit with it over the last 20 years. That money primarily pays for a part-time coordinator.

I was fortunate to be able to go down and hear the reading of Bill 125 in the Legislature. I was a little—what's the word?—offended, I guess, by the partisanship that occurred during the reading. I have to tell you in all honesty that disability issues are issues with respect to humanity and they cross all partisan levels, all genders. It's a portion of humanity that, over our world history, is at the bottom rung of the ladder. Even in Nazi Germany, the first people they killed, before they killed the Jews, were disabled persons.

0930

I feel I have a pretty good handle on the disability community just from personal experience. I have a mobility impairment. I have a brother who is currently living in community living. I have a niece and a nephew living on the streets in Toronto, addicted to crack.

Our funding is really severely lacking in a lot of areas. Maryvale in Windsor is a teen youth centre, and beds have been cut. When I was living in Toronto, we tried to

get help for my niece and nephew, from the ages of 12 on. My nephew did go into Youthdale. I'm sure you're aware of what Youthdale is. It's a crisis centre in Toronto. It has 11 beds. He was in there twice after he tried to kill his mother, but it took that much to get him into that facility.

We're talking here about access, we're talking here about education. When I came back from Toronto on the plane, when I was de-planing, I was literally treated like a refrigerator. I was put on a dolly, flung backwards, not strapped down. I became so frightened that I ordered the man off the plane. I am going to be making a Canadian human rights report and I will take it to the top. I'm just one person. I can think of half a dozen instances where I could go to the Ontario Human Rights Commission.

Last year, I was fortunate to be presenting a brief to Minister Stockwell when he was here for the Employment Standards Act. Within two or three moments of my starting my report, he reminded me that I was talking to the wrong ministry. Since when are disabled people who are seeking employment and go to the Ministry of Labour not talking to the right ministry? I was so dejected as a result of that comment that I never did submit the brief through the e-mail. I did tell Minister Jackson about it. The time limit has passed to take that to the Ontario Human Rights Commission, and I wouldn't do that, but I am going to make the statement public today.

Our government, the people we elect, truly do need education, and there has to be money in order to educate people. It's difficult to look a disabled person in the eye and say, "I'm sorry, I haven't got money for you."

Assistive devices programs have been cut by your government. If you're using a mobility device, you live in that device 24/7, except when you're in bed. Try to sit in the same chair for five years and expect it to operate properly. I'm sorry, it won't. The one I'm sitting in right now is held together with duct tape. I can afford to put new tires on it every two years. Fortunately, I'm up for a new vehicle and I'm hoping the repair costs won't be too high. These are just personal issues.

I think with respect to the act that the municipal aspect of the act is extremely important but it's going to need some money. Unfortunately, you've kind of pushed the Trillium Foundation over to tourism, but that might be one area through which financial help can come to the municipalities in order to set up these advisory committees. We already have 19 advisory committees in Ontario. Some money should possibly go to those committees that are already in action to help disseminate the information to the other communities. Why reinvent the wheel? We've already done a lot of work. We can share that.

I can't remember which minister or MPP mentioned smaller municipalities being involved. I think that would have to be on an elective basis, but I do know there has been a complaint from Parry Sound that they were left out. So I think if there is any funding that comes out of this, municipalities that have less than 10,000 people, if

they choose to have an advisory committee, there should be funding available for them.

I guess that's pretty well what I wanted to say. I just think it's extremely important that members of the disability community educate one another on their needs and that the government educate itself. It's very difficult to walk in another person's shoes until you've lived there for a while. I appreciate that, but I really believe we have to start our education process at the highest levels and at the lowest levels of government.

The Chair: We have approximately two minutes per caucus and I'll start with the official opposition.

Mr Parsons: I'm intrigued a little bit about your comment about smaller municipalities. My sense was that the purpose of the ODA was to level the playing field, that there be no barriers, regardless of whether a person has a disability or not.

Following that line, just to clarify, I'm wondering if you meant that people in smaller municipalities who have a disability—should they not have the same rights as persons in larger municipalities?

Ms Williams: Oh, definitely.

Mr Parsons: Because this act provides for exemptions for 10,000 and under.

Ms Williams: I viewed that specifically as being that that municipality may not be able to afford it. That municipality may be in a demographic where getting the volunteer staff to work on that might be difficult for them. Frankly, I think there should be one in every municipality or there should be a person involved in that municipality, responsible for disability issues expressly as part of their job. Yes, it should level the playing field everywhere.

Mr Parsons: There should be the same access regardless of where a person lives.

Ms Williams: Regardless. All over Ontario and Canada, yes.

Mr Martin: Thank you for coming this morning. You list a whole lot of the challenges that are faced by people out there across the province, and certainly your own experience.

In your review of this act—you've obviously taken some interest in it in that you came to Toronto when it was tabled—will it deal with, respond to, answer, give you any sense of relief that those issues you have listed here this morning will be dealt with because this act becomes the law in the province?

Ms Williams: I can't give that an unequivocal yes, of course, because the act clearly is deficient in a number of areas. I would have to say the Ontario building code is revamped every three or four years, I believe, so I see no reason why, if we don't get everything we're asking for right now, these issues cannot come up in the future and be amended. We're all on a learning curve here. If you go back in history, you'll find that community living—my brother was in an institution for the first 35 years of his life, and he's now in the community participating in life skills classes. I'm sure that created a fairly large savings for the government, because now the people are less in a

hospital environment and it's better for the community living persons.

All in all, I think there's a lot of room for improvement and, as Mr La Bute mentioned, we won't stop until we get a level playing field.

0940

Mr Joseph Spina (Brampton Centre): Thank you, Ms Williams, for joining us. In speaking with a personal friend of mine, Councillor Valentinis, he told me you were a terrific person doing the work that you're doing, so I pass that compliment along to you.

Ms Williams: Thank you.

Mr Spina: I quickly wanted to address two elements that you mentioned. One was the funding issue and also the building code issue, and then I have a quick question, so I'll try to get through this quickly in the time allocated.

The May 2000 budget does give a breakdown of some new funding for new facilities for adults with developmental disabilities: \$55 million more this year and growing to nearly \$200 million in the next six years; also \$27 million over three years to upgrade, renovate, build or purchase new facilities for some community mental health organizations, for those disabled in that way.

The Web sites don't often give a breakdown of the funding budget within the ministry, so your criticism is well taken. Out of the budget that you mentioned for citizenship, I think it's \$35 million that is for disabilities in various ways, for children's treatment, respite, research and development, transportation, special education, tax incentives, some income and employment supports and so on.

Ms Williams: I'd like to see that on the Web site. I think that's important.

Mr Spina: Yes, it should be. I agree with you that it should be on the Web site. Thank you.

Section 9 of the bill relates to the building code and it says, "If a project relates to an existing or proposed building, structure or premises for which the Building Code Act, 1992 and the regulations made under it establish a level of accessibility for persons with disabilities, the project shall meet or exceed that level in order to be eligible to receive funding under a government-funded capital program." That is a specific clause in the bill, and if you think that we could improve on that, we certainly would appreciate your input on it.

Ms Williams: I'll look over that. I think the deficiency in the Ontario building code to a great degree is that technology is surpassing the ability to implement things. It's important to keep up with technology as quickly as we can. There are things like voice chips in elevators. They are very inexpensive and they really should be in every building, especially ones that have public access. So it's not a big cost. As you go through certain markets, you have to pass through a theft device. You have to make sure that that is an exit. I've actually gotten my wheelchair stuck in between two of them because they didn't treat that as an exit. So technology really goes too fast for our building code.

Perhaps I could just mention two quick things, because I forgot to mention them. I don't know what kind of programs we have in our schools that train architects in barrier-free design, but that's something you may want to consider, supporting a program like that. Also, we're very deficient in the number of sign language interpreters that we have and that businesses can access. Perhaps some sort of tuition rebate might be in order to try and bring people into that field. There are a number of areas where we need the teachers.

The Chair: With that, we've run out of time. On behalf of the committee, thank you very much for your presentation this morning.

Ms Williams: Thank you. I'm just going to leave this with you. I did not have as many copies as I would have liked. It's a copy of our 2000 annual report. It's my personal copy, so there are a few highlighted things in there, but it might be interesting to look at.

WINDSOR-ESSEX BILINGUAL LEGAL CLINIC

The Chair: Our next presentation is from the Windsor-Essex Bilingual Legal Clinic. I would ask the presenter to please come forward and state your name for the record. On behalf of the committee, welcome. You have 20 minutes for your presentation this morning.

Ms Stephanie Spiers: Good morning. My name is Stephanie Spiers and I'm one of three lawyers who work with the Windsor-Essex Bilingual Legal Clinic. We are part of Legal Aid Ontario, one of 70-odd clinics across the province that provide free legal services to low-income individuals. As such, we have a lot of interaction with members of the disability community. We're also a member of the Ontarians with Disabilities Act Committee, Windsor-Essex chapter, so we also have that connection to this issue.

We witness daily barriers faced by persons with disabilities in obtaining employment or accessing education and other services. Today we want to talk about some of the shortcomings that we see and problems posed by the bill, and we're going to be quite specific about the interaction between Bill 125 and the human rights legislation that's currently in existence, the Ontario Human Rights Code, and where there may be some potential that the act could actually detract from the code. That's one of our concerns, and we'll be talking about specifically some definitions in some key sections.

Basically, we'd like to start by saying that Bill 125, in our view, is about the creation of accessibility plans by various public sector entities. It's not really rights legislation, and we would like it to become more of a rights piece of legislation. There are no new rights for persons with disabilities with respect to accessibility. There are no legal procedures or enforcement mechanisms under the act. There's no mechanism for independent review of the activities taken pursuant to this legislation, nor is there independent interpretation of provisions. That means that any interpretation will have to come through

court challenges, which I believe we all understand can be costly and time-consuming, and it's very difficult to access the courts for many people and for many organizations.

It appears from the reading of the legislation that the bill is not intended to interfere with the present human rights regime in Ontario. It explicitly recognizes and affirms the legal obligations of the government which exist already with respect to the provision of access for persons with disabilities. That's subsection 3(1). You'll note that the definition of "disability" is lifted right from the code, minus some changes of terminology.

However, one of the problems we see with this is that the definition of access and the notions of access have evolved with time. As recently as last year, the Human Rights Commission reissued its Policy and Guidelines on Disability and the Duty to Accommodate, which in some cases provided for higher levels of planning and accessibility than we currently see in the bill. The problem with this is that a failure to incorporate that particular policy guideline or to allow for its interplay may cause interpretations of both the Human Rights Code and this bill that would provide for a lesser level of accessibility than we currently have in the province.

We do see that the bill provides that nothing in the act limits the operation of the Human Rights Code, and it would be hoped that this would be interpreted broadly. However "limiting the operation of" could be interpreted quite narrowly and it could be used, as I stated earlier, because we don't have any interpretative body that's connected to the bill, to actually take away from existing legal rights of persons with disabilities and also to interpret the Human Rights Code less broadly than it has been currently interpreted. For example, right now there's a notable difference in language between the bill and the code in that the planning initiatives are to, in the language of the bill, "have regard to" accessibility, which is not very specific. The code requires accommodation up to the point of undue hardship. This has been fleshed out through the courts; it's been fleshed out through the commission itself. We have a very specific understanding of what that means. So we're looking at the possibility of having a lesser standard.

0950

I would like to talk specifically about some of the actual sections and how we feel they could be somewhat improved, some of the problems.

The definition of "barrier" does appear to be quite inclusive, and we're pleased that it provides for many kinds of barriers, including attitudinal barriers, communication etc. There are three problems that we see could occur with the definition that we'd like the drafters to address when looking at providing for a final draft of this legislation.

First of all, the definition says—let me just read from the act—"barrier" means an obstacle to access for persons with disabilities that is not an obstacle to access for other persons." In a sense, this creates a disability-exclusive or the potential for a disability-exclusive inter-

pretation and definition. The fear here, or the potential problem here, is that it may be that when non-disabled persons encounter the same barrier, it will not meet the definition or the test of this definition; it will not meet the definition of "barrier." An example may be persons who require flex time. A person with a disability may require that to deal with transportation problems or to deal with fatigue or whatever; flex time may be needed for many reasons. This may constitute a barrier. However, other persons who are not disabled may also require flex time to deal with child care arrangements, to deal with caring for an aged parent, whatever the reason. This could be used to determine that this is not a barrier. So this is just a possible problem from a legal perspective.

Also, it refers to "persons," in the plural. We would ask that it would refer to "person" so that it could take an approach that would not allow a barrier to exist even if it was only affecting one person. This is the approach adopted by the Human Rights Code.

We'd also like to note that the interpretation of the Human Rights Code has developed so that we do have acknowledgement of barriers that may not be obvious on their face; they're adverse-effect barriers. Adverse effect has not been taken into consideration in this particular definition, and we would ask that it be considered.

Another important term that has been defined is "disability." As I mentioned earlier, it's lifted from the Human Rights Code. Of course, the word "handicap" has been replaced with "disability" in the code, which is a positive step forward. One of the shortcomings of this definition is that persons with perceived disabilities, who are included under the Human Rights Code, have not been specifically addressed or included under Bill 125. It's not clear why this has been done, because we see that attitudinal barriers are specifically recognized, and these two, of course, go together. So this may have been an oversight, but we would ask that this be taken into consideration.

I would like to go on and talk about a few of the provisions.

The duties of the government of Ontario as set out in sections 4 to 10 provide for planning etc. However, it is unclear what impact these particular obligations that are set out there will have on the much stronger steps that are set out, as I mentioned earlier, in Policy and Guidelines on Disability and the Duty to Accommodate, which was published in 2000 by the Ontario Human Rights Commission. So we see this as a major potential drawback in that it might actually limit what is currently being required under the human rights regime.

One of the examples is with regard to standards under the building code. Section 4 does deal with this, and one thing that is problematic is that there is no requirement that there be guidelines for retrofitting structures. So it's not a step up, as far as we can see, from what's currently in the building code. This is, however, an obligation that is generally imposed on governments and others who provide services to the public under the Human Rights Code, so we don't understand why this has been ex-

empted from this particular legislation, which should deal with exactly this issue. The duty under the code, of course, would be the standard of undue hardship, so we certainly feel that Bill 125 should deal with, or at least consult with, the existing regime with regard to retrofit guidelines.

I'd also like to address section 8 for a moment, responsibility toward government employees. This provides that government employees will have their accessibility needs accommodated "in accordance with the Human Rights Code"; then it goes on to say, "to the extent that needs relate to their employment." This qualification is new language that's not in the code. It may be applied very narrowly so as to exclude the government's obligation to provide certain things that are now required under the code with a standard of undue hardship; for example, providing attendant care or accessible parking. It may not be the intent of the legislation, but we query why the legislation would have used such broad language when we do already have existing measures that would provide for greater standards. So one of the major changes we're asking for is that these definitions be carefully looked at and the wording tightened up to at least meet the standard of the Human Rights Code.

Of course, one of the major problems, which we're not going to deal with in the oral presentation today, is the lack of enforcement mechanisms. Our written paper will address further that one of the things that we're asking, as the ODA committee has already requested, is that there be greater enforcement measures in the act so that the statement of policy set out in the preamble, that all Ontarians with disabilities can enjoy and fully participate in life in Ontario, could actually be realized. That's not going to happen, we submit, without stronger enforcement measures.

That's all we have to submit to you orally today.

The Chair: Thank you very much. We have a minute and a half per caucus, and I'll start with Mr Martin.

Mr Martin: Good morning. This is indeed an interesting presentation. Up to this point, we've heard very clearly from several groups that unless there are changes made to this act, it really isn't going to be helpful; it's not going to make much difference in the life of the disabled citizen in this province. But what you're saying to us this morning is that it's not just a factor of it not making a difference; you're saying that it could in fact take away rights that are already there, particularly under the Ontario Human Rights Commission. What you're saying to us is that if the bill is passed as it presently presents, this is a net loss to the disabled community. Is that correct?

Ms Spiers: That's the potential through the interpretation of these various sections, yes. That's right. That's what we're saying.

Mr Carl DeFaria (Mississauga East): Thank you, Ms Spiers, for your presentation. I have just a clarification. You mentioned an adverse-effect barrier. Can you give an example to explain what you mean by that?

Ms Spiers: The courts have dealt with the concept—I'm going to give the example in discrimination, and I'll

try and make the parallel to barrier—where there may not be a perceived discrimination, but the effect of a piece of legislation may discriminate. There have been countless examples, but I'm just going to think of one in which a piece of—I can't remember the exact case, but it had to do with pregnant women. The idea is that the effect may create a barrier, or in this example may create discrimination, although on its face it is not discriminatory. It is not saying, "We exclude pregnant women," but the effect is that, because pregnant women must take time off and the legislation didn't allow for time off, it therefore had an adverse effect—discrimination.

1000

The same parallel works with a barrier. On its face it may not appear to be a barrier, but because of a certain limitation of a group of persons—I wish I could come up with a good example for you right now. Let me see if I have one in my material. Does that provide any clarification? I can provide a proper example for you in written form.

The Chair: I'll have to ask you to do that because we are running out of time and I have to go to the official opposition.

Mr Bruce Crozier (Essex): I want to see if in the time we have, which is limited, you could elaborate on this statement you made that there could be a lesser level of accessibility—I think those were the words you used—by this act. Could you give us some examples of where that might be a problem?

Ms Spiers: One example I talked about was that right now there's been a policy guideline put out by the Human Rights Commission requiring that certain government bodies implement plans to accommodate. We're concerned this legislation will not even meet that level. Another example is that the Human Rights Code touches on the private sector and requires that accommodations be made to the point of undue hardship in the private sector. As you know, this legislation does not touch on that sector really at all. There again, we will have a lesser standard. Does that somewhat answer your question?

Mr Crozier: Thank you.

The Chair: On behalf of the committee, thank you very much for your presentation this morning.

DAVID DIMITRIE

The Chair: Our next presentation is from David Dimitrie. On behalf of the committee, welcome. You have 15 minutes for your presentation this morning.

Mr David Dimitrie: My name is David Dimitrie. I have a mental health disability. I was diagnosed with manic-depressive disorder 15 years ago. Several years later, I was diagnosed with obsessive compulsive disorder and severe sleep disorders due to a head injury sustained during a bicycle accident as a teenager.

I have been working for the passage of the Ontarians with Disabilities Act for the past three years. I'm very disappointed with Bill 125, the proposed Ontarians with Disabilities Act. Bill 125 makes scant mention of the

barriers people with mental health disabilities face in trying to live as active participants in our society. The only mention of mental health disabilities is in the definition of "disability" that comes directly from the Human Rights Code.

Bill 125 makes no mention of the social, educational, employment, health and human rights barriers that persons with mental health disabilities face daily. The bill focuses narrowly on the barriers of one segment of the disabled population in Ontario. It was always my understanding that the ODA Premier Harris promised in 1995 would provide legislation that tears down the barriers that confront all persons with disabilities in Ontario.

It is unacceptable to me that the government has disregarded the needs of persons with mental health disabilities. In a letter sent to me by the Honourable Cam Jackson, MPP, he states that he believes employers want to do the right thing. If this is the case, why are 52% of employable mentally ill people in Ontario unemployed, languishing on tiny disability pensions? The fact is that employers have always been and remain reluctant to hire a mentally disabled person because of unwarranted fears or prejudice. Let's not kid ourselves.

Let's have a look at the types of barriers persons with mental health disabilities face on a daily basis in Ontario. Access to employment for mentally ill persons is probably the greatest barrier facing persons with mental health disabilities. Statistics Canada states that 52% of employable persons with mental illnesses are unemployed in Ontario. Even persons such as myself with post-secondary degrees and diplomas face a high rate of stigmatization in the search for gainful employment.

I'm a qualified elementary French teacher in Ontario. In addition, I'm a graduate of George Brown college in the field of graphic arts. I'm fluent in English, French and German. I also depend on a very small disability pension to make ends meet.

The main reason I have not been able to obtain and retain employment in any of the fields in which I am qualified is that employers either refuse to consider mentally ill persons for employment during job interviews, or they refuse to provide workplace accommodation once they hire a person who discloses his or her disability after being hired. I know this because I have been forced to file human rights complaints against employers in the last three years. Two were related to discrimination during job interviews. The third occurred due to the failure of my previous employer to provide workplace accommodation to me after I had been hired and been told my work was excellent. Two of these cases were settled during mediation and one is still pending after nearly two years. I was fired from this job two days after filing the human rights complaint against my previous employer.

The net result of this discrimination is a 52% unemployment rate among mentally ill persons who are capable of working either full- or part-time. These people are stuck living at or below poverty levels on inadequate disability pensions. It's my contention that most people with mental illnesses would like to earn part or all of

their income. I believe they would like some freedom from the shackles of dependency on disability pensions.

Is there an answer to this dilemma? I believe there is. The human rights legislation already enshrined in the Human Rights Code is adequate in providing legislative protection for mentally ill persons. It fails in its application. A human rights complaint can take anywhere from one to seven years to adjudicate by using the current process. The current process is quasi-judicial in nature and in many respects mirrors the adversarial nature of civil litigation.

I am proposing an amendment to Bill 125 that would transfer human rights complaints based on the grounds of employment due to disability to the Employment Standards Act. The entire process could be satisfied by including the right to workplace accommodation in the Employment Standards Act. Complaints could be investigated and decisions rendered by the Ministry of Labour officials in weeks or months instead of years. Both sides would be forced to submit to binding mediation where all complaints are aired and a mediator would make a binding decision. If either side disagreed with the decision, they would have to appeal the decision through a judicial review or through civil law actions. The decision of the mediator would be enforced immediately.

The major benefit of transferring disability complaints related to employment to the Employment Standards Act is that of fairness. The complainant would not have to twist in the wind for years while the complaint is adjudicated in the current process. The respondent would not have to spend large sums of money on legal fees, which the current process necessitates. In Mr Jackson's letter, he stated that one third of the complaints to the OHRC are currently related to disability on the grounds of employment. These cases need to be adjudicated in a swift, fair fashion. The current process is unfair to both sides of the issue. My proposed amendment would benefit both the complainant and the respondent in cases related to employment discrimination due to disability.

Next I would like to comment on the social and human rights barriers that mentally ill persons face. I'd like to focus on the common slurs and defamatory language related to mental health that are routinely found in newspapers, on television, on radio and in popular culture. I have included an appendix in the package provided to you, labelled appendix 1, that lists common slurs related to mental illness that I compiled while watching television, listening to the radio, observing public conversation and reading newspapers over a one-month period. These slurs hurt. They marginalize mentally ill persons and lower their worth in the eyes of society. In order for a person to make a complaint about these slurs, they must run a gauntlet of press councils, editors, human rights officials and news directors.

I have made complaints regarding these types of slurs. I have included a copy of an article, labelled appendix 2, that I felt was defamatory and promoted hatred and mistrust of mentally ill persons. The author is a published poet and a librarian and is more than capable of using the

English language appropriately. I tried to settle the dispute with my local newspaper, to no avail. I then submitted the complaint to the Ontario Press Council, which refused to adjudicate the complaint. I am currently in the process of drafting a formal complaint to the Human Rights Commission.

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The complaint process causes my mental health to suffer. The stress is immense and many mentally ill people simply choose not to fight back against such discrimination. This creates a learned helplessness among mentally ill persons.

As is the case with educational barriers, part of the solution here is more education and a stronger enforcement mechanism within the OHRC against this type of hate language that is so common in everyday speech and in the media.

It's counterproductive to the health of mentally ill persons to get involved in such long and drawn-out conflicts with people who have much more influence and power than they do. Bill 125 must include better enforcement mechanisms to protect mentally ill persons against hate speech and hate literature. Hate speech, hate literature and slurs that denigrate mentally ill people lower the self-esteem of mentally ill people and lower their worth in the eyes of other Ontarians. This increases their chance of being physically or emotionally victimized. These barriers are more subtle and less visible than the other barriers I have spoken of, but they are equally pernicious and damaging.

The last barrier I will speak of relates to the difficulty that mentally ill persons have in obtaining health services. Much is made in the media and popular culture of the refusal of mentally ill persons to take their medication and manage their health. The first barrier mentally ill people face is finding a psychiatrist. There is a shortage of psychiatrists in Ontario and it's not a high priority when our health system is debated. Bill 125 must ensure the right, for every mentally ill person in Ontario, to the services of a psychiatrist. The psychiatrist is the lynchpin in managing the health of mentally ill persons. Other forms of treatment are also effective, but the availability of psychiatrists to mentally ill persons is absolutely necessary for mentally ill persons to maintain their health. Bill 125 should include an amendment that guarantees every mentally ill person in Ontario the services of a psychiatrist on a timely, regular basis. The current state of affairs leaves many mentally ill persons relying on general practitioners, walk-in clinics and emergency rooms to maintain their mental health. This situation virtually guarantees that mentally ill persons will not be able to maintain mental health stability.

The fact I have focused my presentation on mental health does not mean I am not sympathetic to the needs of Ontarians with other disabilities. I have done so in order to raise awareness of the barriers facing persons with mental illness. Traditionally they have received little attention when disabilities are discussed. Many people would look at me and listen to me and say I don't have a

disability. Hidden disabilities need to be brought out into the open.

I'll close my presentation with accounts of two incidents that occurred in Ontario in the last few years that scream out for an ODA that has real enforcement mechanisms, and not just advisory committees and future plans for accessibility in unspecified time frames.

Recently, M. D. Horton of St Thomas, Ontario, wrote a letter to the editor in the London Free Press. She discussed the experience she had while attending a funeral in London. She mentioned she had attended funerals at this facility three times in as many years. Her husband is confined to a wheelchair. Each time, her husband was forced to use the coffin elevator as the only means of entrance into this building.

Bill 125 makes no requirement that private businesses must retrofit their buildings within a reasonable period of time in order to make them accessible. Is this the Ontario we want to live in? Is it fair this disabled man must enter a funeral home via the coffin elevator? How would you feel if you had to do this? Bill 125 needs more teeth and fewer advisory councils that have no strong enforcement mechanisms.

The next incident occurred in Kinmount, Ontario, on January 4, 2001. A paraplegic man got stuck in the snow in his wheelchair and froze to death. This death was reported on CityTV's CablePulse 24. I witnessed similar encounters last winter in London where persons in scooters and wheelchairs got stuck in the snow on sidewalks and needed a push to get moving.

Bill 125 must include an amendment that sidewalks on major thoroughfares are sufficiently plowed within a reasonable amount of time. In addition, bus stops should be plowed within 48 hours of a major snowfall so that disabled persons can get on to buses. It took the city of London two weeks to clear two-foot snowbanks at bus stops last year. I realize these are municipal matters. However, because of the subordinate relationship municipalities have with the province, laws can be written to force municipalities to serve the needs of their most vulnerable citizens.

Thank you for allowing me the time to address you. I travelled from London at my own expense to make this presentation. It was worth every dime. Please consider my proposals for amendments. I've spent a great deal of time considering these issues to find solutions that are fair to everyone involved, and I believe I have succeeded. I'll now be pleased to answer any questions.

The Chair: We have one minute per caucus and I'll start with the government side.

Mr Hardeman: Thank you very much for your presentation. I'm somewhat intrigued or at a loss by your presentation defining the relationship between the disabilities act and the Human Rights Code. My understanding in the past has always been that discrimination is what the Human Rights Commission looks after, and that the disabilities act, in general terms, is to remove physical barriers to the disabled. Could you help me out with defining how you would not remove mental disabilities

from the Human Rights Code, but also put them in the disabilities act and make them both work?

Mr Dimitrie: This is my point and this is my frustration. Mental health disabilities and hidden disabilities such as autism, epilepsy, brain injuries, any of these disabilities are equally as valid to be included in the Ontarians with Disabilities Act as any physical disability. The ODA, as it is written, is not limited to physical barriers. The ODA includes mentally ill persons in their definition. It's their fault that they drafted legislation that only dealt with physical barriers. That's my point. The Human Rights Code deals with both physical and hidden disabilities. The ODA should do the same thing. To me, it's a crock to say that you're going to create some kind of act and not include developmental disabilities, mental health disabilities, epilepsy, autism, all these disabilities that don't have physical barriers.

Mr Parsons: Many people in Ontario think there already is an act. Those who didn't realize that are now saying, "Thank goodness they finally introduced one." I found your presentation extremely informative. I guess a difficult question to you is, given your presentation, is your preference that this act not pass if there are no amendments, or that the act pass and you view it as a first step?

Mr Dimitrie: The act should pass, period.

Mr Parsons: As it stands.

Mr Dimitrie: The act should pass as it stands and I will keep on fighting. I've got maybe another 40 years or so on this earth and I'll keep fighting for my rights and those of other disabled persons to improve that act.

Mr Parsons: I have to ask then, what does this act do for you in its present form?

Mr Dimitrie: Nothing. Absolutely, positively nada, nothing. That's why I'm here.

Mr Martin: Thank you for coming today and making the effort and for your three years of work on this piece of public policy. You suggest an amendment to the Employment Standards Act that would deal with some of your concerns.

Mr Dimitrie: Yes.

Mr Martin: Are there other amendments you think we could be entertaining that would be helpful? Do you have them documented anywhere so that we could put them forward?

Mr Dimitrie: Other amendments relating to other barriers?

Mr Martin: Yes, some of the things you mention in your—

Mr Dimitrie: The other amendment, and I maintain this and I have it in the paper that the clerk passed around to you, is the right to have a psychiatrist. My psychiatrist is currently in his seventies. He's a wonderful man and cares for me greatly, but he'll be retiring soon and I don't know who I'm going to go to next. I may end up in a walk-in clinic myself managing my mental health disability. I don't think it's a lot to ask the ODA to say that mentally ill persons have a right to see a psychiatrist on a regular basis. If society is going to demand we take our

medication, then they better provide psychiatrists to monitor us.

The Chair: On behalf of the committee, thank you very much for your presentation this morning.

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ONTARIO BRAIN INJURY ASSOCIATION, WINDSOR CHAPTER

The Acting Chair (Mr Carl DeFaria): We now have the Ontario Brain Injury Association, Windsor chapter, Janice Kominek. I welcome you to the committee. If you could state your names for Hansard, then you can proceed with your presentation. You have 20 minutes.

Ms Janice Kominek: My name is Janice Kominek and it's an honour to speak before the committee today on a subject that is very important to our entire community. I am here representing over 18,000 Canadians, one third of those in Ontario alone, who receive an acquired brain injury each year. I'm president of the Ontario Brain Injury Association and executive director of the Brain Injury Association of Chatham-Kent.

I also have with me here today Nancy Nicholson, who is a survivor of acquired brain injury and a member of the board of directors of the Brain Injury Association of Windsor-Essex County.

I'd like to first of all just give you a few facts about brain injury. Acquired brain injury is the leading cause of death and disability in Ontario for those under the age of 45. A brain injury doesn't heal like a broken arm or leg; the results may last a lifetime. So if you consider the thousands injured each year and you consider even the last 20 years, you begin to get an idea of just how many people live with these effects every day in Ontario.

Brain injury may occur as a result of motor vehicle collisions—in fact, over half of brain injuries are as a result of motor vehicle collisions; falls, particularly among the elderly and toddlers; assaults; near drownings; diseases such as meningitis or brain tumours. Brain injury does not distinguish itself by age, gender or socio-economic status. It could happen to any of us here in this room, at work, on the playing field or even as we drive home from this meeting today. Chances are that at least one person that you work with, know or love has experienced the effects of this injury, and the effects are devastating.

No two brain injuries are exactly alike and they range from mild to severe. Brain injury cuts across all disability groups because our brain controls all of our functioning. People with brain injury may have visual impairments, hearing impairments, speech impairments or mobility difficulties often requiring the use of wheelchair or walker. The most difficult impairments for family members, friends and employers to understand, however, are the personality and behaviour changes and the effects that make it difficult to organize thoughts and remember things that once came easily. These invisible changes present the most difficult challenges to the survivor of acquired brain injury.

Who is the Ontario Brain Injury Association? We were formed in 1986. Currently we are linked to 24 community groups across the province with memberships totalling in the thousands. Our 20-member board of directors is made up of survivors of acquired brain injury, family members, professionals, service providers and business people from every part of the province.

Why are we here today? We are here today because we are deeply concerned that all Ontarians have the opportunity to participate as fully as possible in all aspects of life in Ontario. Like many other individuals and advocacy organizations, we would have been much more comfortable with an ODA that laid out explicit timelines for the removal of specific barriers. It would also have been comforting to have assurance that these timelines would be effectively enforced. It is also imperative that the terms of reference for the advisory councils address the following: representation from a full range of disabilities, length of term of service, a requirement that all reports be made public and that the advisory councils be given authority to identify any and all barriers. However, our principal reason for being here today is to focus the committee's attention on barriers that are faced by the thousands of Ontarians who are living with the effects of acquired brain injury.

Brain injury is a unique disability category. It is not limited to one specific kind of impairment. People with acquired brain injury can live with physical, sensory, cognitive and emotional impairments and in some cases may live with all of them. Accordingly, we urge the committee to recommend that acquired brain injury be included in the definition of "disability" in the act.

People with physical impairments must contend with limited access to public buildings, businesses, transportation and recreational facilities on a daily basis. These barriers are readily identifiable. The proposed Ontarians with Disabilities Act attempts to address these issues of physical barriers. Similarly, barriers for those with sensory impairments such as vision and hearing are addressed in the act through the use of alternative formats. However, the barriers that are faced by people living with cognitive and emotional impairments are much more difficult to identify and to address. We speak of attitudinal barriers that often exclude those living with these challenges, leaving them isolated and open to ridicule and abuse. We recognize that it's impossible to legislate attitudes and values, but it is possible to have an ODA that encompasses a comprehensive program of public awareness and education that could move society toward understanding, acceptance and accommodation of people with cognitive and emotional impairments.

Just to illustrate some of the attitudinal barriers, in my own family my father-in-law sustained an injury some seven years ago after falling off a ladder. He was in a coma for three days. If you were to meet him now, he seems normal in every way. However, as a family member, we see some subtle changes in his personality. He has difficulty with memory. You try to leave a message with him and he maybe forgets to pass it on. I

know one time, getting into a vehicle, we were on our way to a restaurant and he took a wrong turn. My mother-in-law of course starts saying, "No, that's not the way to go," and he kind of tried to hide it by saying, "Well, I'm just taking a different way." These kinds of things drive my mother-in-law crazy: "Why is he doing this to me? Why is he acting this way?" He is often fatigued and she just doesn't understand that.

So even among family members and close friends, this kind of misunderstanding with the effects of acquired brain injury, resulting in isolation often devastating the person with brain injury, is not uncommon. There are dozens of other instances of misunderstanding that impact daily on the lives of people living with these effects. These misunderstandings effectively limit the disabled person's participation in family life, community activities and employment opportunities.

At this time, I'd like to introduce you to Nancy Nicholson, who is a survivor of acquired brain injury. She'd like to just tell you a little bit about her story and some examples that she's faced in terms of barrier.

Ms Nancy Nicholson: I'm a brain injury survivor. Until a little over five and a half years ago, I led a very different life. I had a good business law practice. I was a partner at a prominent Windsor law firm. I was a community leader. I was a well-known fundraiser. I was politically active. Three weeks before my accident, I attended a legal conference in Cambridge, England, at which notables such as the chief justices of the Supreme Court of Canada and the Supreme Court of the United States, and the late Pierre Trudeau attended. Three weeks later, my life changed radically. I no longer practise law. I can no longer drive a car. I can no longer participate in all those activities that I formerly did. My life was very much like yours.

I would like to provide you with three of what I think are pretty good illustrations of what my life is like. My difficulties relate to the speed with which I process information and my ability to handle external stimuli. I require an assisted ticket to ride the train. I boarded the train in Windsor heading for Toronto. I had to make a change; I was going on to Brockville. The train pulled into Toronto, the conductor came up to me and said, "You look fine. You have an assisted ticket. What's wrong?" I said, "I have a brain injury and I have difficulty coping with stimuli."

As you recall, when you get off the train you get on to that level, there's a lot of noise from the steam from the engine, people coming and going, and it's a different type of light environment. I got off the train on to that level platform. The conductor went over to the porter, he pointed to me and he did this. [Gestures.] I'm not mentally ill, and because I'm not mentally ill I'm not covered by your current version of the act. He assumed that I had some sort of mental illness. I'd had the inability to get through the station and change trains. The porter took my bag, put it on the next train and they left me standing there. Because of my inability to process quickly, I could not get his attention nor communicate to

him that I needed assistance. Fortunately for me, not a minute later a blind man got off the train and the porter escorted him through the station. I followed him; not with the assistance that VIA purported to provide and which I've attempted to utilize in subsequent visits but have been unable to do so because it's just not really there. They say it is, but it isn't.

A second occasion: boarding the city bus. It was very crowded. I get on the bus. I don't know how to put the ticket into the machine. The bus driver, fortunately, gave me some time and said, "You put the ticket in the machine. You put the ticket in the machine." I have five university degrees. It's a very humbling experience, I can assure you.

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A third and perhaps more important area to deal with is that there are a great many of us out there. We have volatile tempers, many of us, because of the nature of our injury. When you go into a store and people expect rapid responses, the situation can quite quickly deteriorate into a very bad situation. The public is unaware of the nature of a brain injury, and the legislation doesn't help them become any more aware, because it doesn't even acknowledge its existence. We don't have a mental health problem in many cases. I don't speak for the man who spoke before us. What we have is a change in the wiring in our brains.

Brain injury survivors have enough to deal with—cooking, getting groceries, riding a bus—without having to educate the public as well. This is an overwhelming task to impose upon us. We ask that you take that on as part of your role and help us to ensure that the public doesn't treat us with anger and resentment but, rather, understands why we're a little quick to anger in the grocery store when the environment is loud or when we're dealing with a long voicemail.

Just one concluding remark: I notice that you have a screen here and a signer for people who have other disabilities. You're in a wheelchair-access building. But I had to walk through a casino, with an abundance of noise and flashing lights, and past a very loud waterfall. For me, that is a very hard task. You were very knowledgeable and conscious of other disabilities. You were completely unaware of mine. I would encourage you to support the Ontario Brain Injury Association's recommendations.

Ms Kominek: We recognize that there are no simple or quick solutions to removing these attitudinal barriers. However, since they are barriers for thousands of Ontarians, not only those living with an acquired brain injury but also those with developmental impairments and those who experience mental illness, it is imperative that the government, through the ODA, provide the will and the resources necessary to develop effective public awareness and education.

In summary, the Ontarians with Disabilities Act attempts to address physical barriers faced by those with disabilities but falls short on its goal of supporting the right of every person with a disability to live as inde-

pendently as possible, to enjoy equal opportunity and to participate fully in every aspect of life in our province through the removal of existing barriers and the prevention of further barriers.

We have not had enough time to fully analyze this bill and consider all of its implications, but after our preliminary consideration, we can recommend the following: that the definition of "disability" must include brain injury in its description; that explicit timelines be prescribed for the removal of specific barriers; that the bill have an effective mechanism for enforcement; that the role and authority of advisory councils be defined; the reports made public and that the disability community have meaningful input; that the bill make provisions for the allocation of resources to raise public awareness and education about the issues faced by those with disabilities in order to further foster a greater understanding and influence attitudes, working toward the reduction of attitudinal barriers.

A barrier-free community is a minimum goal to the full participation of the disabled in society. Through effective regulation and mandating co-operation with the private and public sectors, the Ontarians with Disabilities Act could help deliver broad public awareness and understanding of cognitive and mental disabilities and eliminate all other barriers for disabled persons in every part of Canada's richest province. The Ontario Brain Injury Association, along with many similar disability organizations, stands prepared to assist the government, through the advisory councils outlined in the ODA, to develop the ways and means necessary to remove attitudinal barriers. We look forward to this challenge. The disabled of Ontario are looking for leadership on this issue. Please don't let them down.

The Acting Chair: Thank you for your presentation. We have a minute for each caucus. The Liberal caucus will go first.

Mr Crozier: Good morning, and welcome to the committee, Ms Nicholson and Ms Kominek. Someone I love dearly and live with every day has an acquired brain injury, through an aneurysm. Thanks to tender loving care and good medical facilities—it would be considered mild compared to yours, Ms Nicholson, but I can understand the concern you have from the standpoint of the family issues. I understand the short-term-memory issue, as well as that sometimes in conversation the wrong word comes out.

But my point is this: I understand, too, the attitudinal problems you have. The Ontario Brain Injury Association, I could say, is not very well known on the scale of disability. How is it that you treat these attitudinal problems vis-à-vis the public and how could we do even more to help you with that?

Ms Kominek: Through both the local community associations as well as the provincial association, there is a need for more education. Locally, through associations such as the Head Injury Association of Windsor and Essex County and the Brain Injury Association of Chatham-Kent, which we represent, we attempt to do as

much as we can in public education. We provide community activities that deal with the prevention of injury as well as public speakers and so on who would come in and try to address those public issues. However, we're all very much volunteer-run organizations, many of which don't even have staff. They don't have the resources to spread the word across the province. As Nancy mentioned in her talk, people with brain injuries have enough to deal with, without also having that burden of doing the public education themselves. What we do need are the financial and human resources to be able to carry the word, to be able to educate not just family members but also employers so that when people return to work they have an understanding of what this injury consists of and how it may affect their work. We need both human and financial resources to be able to do that.

Mr Martin: Thank you very much for coming today and for your presentation. It certainly has been enlightening. We've asked the government to slow this down and to take the time that is necessary to understand the very complicated and involved piece of public business that this is. As you know, it was introduced a week ago. We're into public hearings now, and it will be done by next Tuesday. We're not sure they're going to capture some of the stuff you're putting on the table here this morning. That worries us, because if they don't capture it now, my concern is, when will the next time be and who will deal with that?

You raised the issue of resources so we can do public education. You raised the issue of including all disabilities in the community advisory councils. We're not sure that's going to happen, because ultimately, on the advisory councils, our understanding is that they will be appointed by order in council and that it may not in fact include everybody.

Given the speed at which we're moving and the very obvious need for something in here to reflect that we understand the issues of the people in the community that you speak about, what would be the biggest priority?

Ms Kominick: I think the biggest priority we had identified is the public education and awareness. In terms of timelines, yes, you're right, everything is going very quickly, and we'd certainly like to be involved in recommending amendments to that. In terms of people with acquired brain injury, there is a real need to educate the public and employers as to what this disability is about and how they may be able to be accommodated within society.

Mr John O'Toole (Durham): Thank you for your presentation this morning. In Ottawa last week we heard the same concern about the attitudinal barriers, which are kind of like the invisible barriers, as you've appropriately defined. I am completely sympathetic to what you say. Minister Jackson released a working paper on October 23 entitled *Reclaiming Our Roots*. I'm sure you're aware of it. It was about developing strategies for public education and awareness, specifically in the area of mental health. There is a pilot testing and evaluation process going on as we speak. I'm not sure, but I think it's like this bill. I

think you've made a very good point here in your ongoing advocacy role. Educating the public is part of that advocacy role, and I think it would be appropriate for all governments, of whatever stripe, to listen.

Mr Dimitrie earlier made the same point, that the invisible barriers are really important. I hear your message clearly about public awareness and education, and I'm sure there is more that can be done. But there is a strategy in our area—I met with the mental health strategy people—which is community resources in mental health. I think that probably is a result of a lot of the advocacy that has gone on. Do you wish to respond?

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Ms Kominick: I know Nancy wants to respond to this as well. First of all, brain injury is not a mental health issue; it is a cognitive impairment. It may have mental illness associated with it, but not always.

Mr O'Toole: I apologize; I'm not familiar with the jargon. But I meant the emotional barrier as you described. Yours was more the transformation from a person who was, like you said—

The Chair: Mr O'Toole, I would request the response from the presenters, because we are running out of time.

Ms Nicholson: The wiring in my brain has changed. I cannot react quickly. It is not just emotional. If something like this were to happen in the middle of the street, a car could strike me. You're not going to have that problem with a lot of other disabilities. It has to do with your brain wiring. It can spill over to emotional issues, but it is not a mental health problem. The nature of the attention that you're describing does not begin to address it, because we are not in that category at all.

The Chair: On behalf of the committee, thank you very much for your presentation this morning.

CANADIAN NATIONAL INSTITUTE FOR THE BLIND, ONTARIO DIVISION

The Chair: Our next presentation is from the Canadian National Institute for the Blind, the Essex-Kent chapter. I would ask the presenter to please state your name for the record. On behalf of the committee, welcome. You have 20 minutes for your presentation this morning.

Ms Arlene Bailey: Arlene Bailey, district manager, CNIB.

Good morning, Mr Chairman and members of caucus and the committee. I first want to offer a few words of congratulations to our local ODA committee for all the hard work they've done over many years to get the voice of people with disabilities out to be represented as part of the ODA committee and ODA legislation. I want to congratulate and commend the leadership of Dean La Bute and also consumers, of various disabilities, who have come out to be represented and have a voice. I want to recognize also the community agencies, my colleagues, which have represented the needs at the ODA. Especially I want to take a minute to thank my peers, those who are

visually impaired, blind or deaf-blind throughout all of Ontario who have taken the time to show up and to be a part of the ODA, to have a voice in shaping the legislation.

I'm here today to present the official position of the CNIB, Ontario division, on the ODA. I do want to take a few minutes to basically let you know that the Essex-Kent district of the Canadian National Institute for the Blind represents Chatham, Kent, Windsor and Essex. We serve approximately 2,100 individuals who have varying degrees of vision loss. I'll get into reading this document. You'll have to bear with me. There is no correction for my eyesight. I'll proceed.

At the outset, the Canadian National Institute for the Blind would like to congratulate and thank Minister Cam Jackson, the Minister of Citizenship, and the government of Ontario for the initiatives that they have taken to begin to remove the barriers faced by persons with disabilities in the province of Ontario. The introduction of the proposed Ontarians with Disabilities Act, Bill 125, is an important first step in the identification and removal of barriers and in preventing new barriers. We believe that an effective Ontarians with Disabilities Act, together with excellent programs such as the assistive devices program which are already in place, will position Ontario as a progressive leader in addressing access issues faced by persons with disabilities in this country.

While the CNIB acknowledges that a number of helpful measures are contained in the proposed legislation, which have the potential to address many present and future issues in the identification, removal and prevention of barriers, our agency does have some significant concerns which we believe need to be addressed as amendments to the legislation in order to ensure that the bill will address the needs of our consumers. Some of our concerns relate to how the legislation will identify, remove and prevent barriers for our blind, visually impaired and deaf-blind consumers. We will deal with these first in our submission. We will then bring forward some general concerns about the legislation in terms of its mandate, coverage, implementation and overall effectiveness. In both cases, we will, wherever possible, offer suggestions for changes or amendments that we believe would strengthen the bill's effectiveness.

Clearly we understand that it is neither possible nor practical to present legislation that purports to remove all barriers in all sectors immediately or even in the short term. There are many factors that dictate that a staged approach to implementation would be more effective. It is, however, important to ensure that those changes and amendments that are necessary to address current issues with the bill are incorporated into the legislation.

Proposed amendments that would improve removal of barriers for persons who are blind, deaf-blind or visually impaired: it is important to recognize that the accommodations that remove barriers for persons who are blind, visually impaired or deaf-blind can vary depending on the nature and degree of visual impairment or deaf-blindness. As a consequence, it is important to consider

the different, as well as the common, needs of each of these groups when implementing solutions. For example, signage needs to be both highly visible in terms of the size and the contrast and it also needs to be tactile, ie, in Braille, so that it may be accessed both by persons who are blind and visually impaired. Furthermore, the removal of barriers for persons with vision impairments is only partially addressed by the removal of physical barriers.

Access to information in the delivery of goods and services is of equal importance to persons with vision impairments. Such access to information will be manifested in a variety of ways, including intervention services for persons who are deaf-blind or the provision of alternate materials in accessible formats for people who are blind, visually impaired or deaf-blind. Again, that format required will depend on the extent of vision loss.

We believe it is very important that there is an understanding of these issues and the factors which must be considered in accommodating the unique needs of persons who are blind, visually impaired or deaf-blind. We believe this is critical because these factors will need to be considered when plans are developed and implemented to remove barriers in buildings or in accessing goods and services. It is the position of the CNIB, and the consumers we serve, that the removal of barriers must include the removal of physical barriers that impede access for blind, visually impaired and deaf-blind persons, as well as the removal of barriers to access goods and services.

The following are specific concerns and/or suggestions for changes. In section 2, under "Definitions," with reference to Ontario government publications, we are concerned about the restrictions implied within this definition, that publications of a "scientific, technical, reference, research, or scholarly nature" would not be included in publications that would be available in alternative formats if requested. It is our view that government publications that would be made available to members of the public should also be made available to persons with vision impairments if requested.

In subsections 4(1) and (2), "Government buildings, structures and premises," we believe that "standards" would be stronger than "guidelines" in terms of their enforceability. Given that the Ontario building code, dated 1992, is seriously lacking in its provisions for accessing the built environment for persons who are blind, visually impaired or deaf-blind, we recommend that the new CSA standard B651, which is to be released in June, be used as the minimum standard, as it addresses much more effectively the access issues of persons with vision impairments.

In subsection 4(5), "New leases," we are concerned that government departments need only "have regard to" the building's accessibility when making a decision to occupy this building. We believe that compliance with the guidelines, or at a minimum a plan for renovation so that the building is in compliance, is critical if new barriers are not to be created.

In section 6, "Government Internet sites," the act requires that where "technically feasible" government Internet sites be made accessible. In fact, guidelines for the design of Internet sites now exist that make it technically feasible to make all Internet sites accessible. Therefore, the words "technically feasible" should be removed and it should be required that all government Internet sites be made accessible.

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In section 7, "Government publications," we believe that a time frame should be set out for the provision of publications in alternate formats. The term "reasonable time" could have many interpretations. We are also troubled by the qualification that materials would only be made available if technically feasible. Since most materials are now produced on the computer, production in alternate formats is now much easier than in the past. The expectation should be that exclusions would be rare indeed.

The sections dealing with duties of municipalities, other organizations, agencies and persons: there are no provisions in these duties to require that publications be made available in accessible formats. There are also no provisions that require accessibility of Internet sites. Both of these issues are important to the removal of barriers for persons with vision impairments and should be addressed in the legislation.

In section 29, "Municipal Elections Act, 1996," the proposed changes are helpful in ensuring polling stations will be physically accessible and that voters will receive assistance. There is no provision, however, to deal with the accessibility of the ballots themselves. Given that during the last municipal election, persons with vision impairments were unable to vote independently due to the unavailability of accessible ballots in most municipalities, an amendment should be included which requires that ballots be accessible to persons with disabilities.

I have some general comments re provisions in the act and suggested amendments. While Bill 125 has made some important strides in its recognition of barriers that exist and in developing measures that should assist in the removal of these barriers and prevention of future barriers, we believe the bill would be stronger and more effective with certain clarifications, modifications and amendments.

Purpose of Bill 125: we believe the stated purpose of the bill should be the removal of all barriers for persons with disabilities in Ontario to enable full participation. While we recognize that this aim cannot be achieved overnight and will require long-term commitment from all sectors, we should still maintain that ultimate plan.

Applicability of the bill: while we understand it is the government's intent to make the bill applicable to all sectors over time, this is not clear in the proposed legislation. The bill would be strengthened by specifying time lines for the inclusion of the various sectors.

Accessibility plans: we believe the development of these plans is a good step in helping to identify barriers and action plans to address these. We are concerned,

however, that measures are not included to ensure that these plans are implemented. Amendments should be included to address enforcement and recourse issues.

Government power to exempt organizations: while we recognize there may be times when it will be appropriate for the government to exempt organizations, this should be a very rare occurrence. Consequently, the legislation should be amended to include strict parameters regarding the rationale, process and the time frame for the granting of those exemptions.

With regard to the participation of persons with disabilities, the creation of provincial and municipal advisory committees is a good step toward ensuring input of persons with disabilities in the process. We believe it is important that the individuals selected to serve on these committees represent groups of or for disabled persons and that there be a requirement that they consult with their sectors. While the legislation states that a majority of members must be disabled persons, there is no provision for representation from the various disability sectors. We believe this broad representation is important given the committees' potential involvement in advising on guidelines, standards, plans and so forth and that the needs of persons with different disabilities can be very diverse. We also believe the role of the provincial advisory committee needs to be clarified in terms of its scope, mandate and authority.

Prevention of new barriers: a fundamental objective of the Ontarians with Disabilities Act has been to ensure that no new barriers are created. We believe that provisions in the bill need to be strengthened so that this objective may be upheld. This should include new capital projects, leases, purchase of goods and services, exemptions to be granted only when significant hardship can be demonstrated.

The foregoing comments and suggestions for amendments are intended to assist the government of Ontario in enacting legislation which we believe, if amended, would have the potential to make a significant difference for disabled Ontarians. Persons with disabilities have a wealth of skills, expertise and enthusiasm that they're very eager to share with the government and with fellow citizens of Ontario. By enacting strong and effective legislation, the province will be providing the impetus, the vision and the tools for disabled Ontarians to take their rightful place as fully participating citizens in the life of the province. Thank you.

The Chair: Thank you very much. We have one minute per caucus, and I'll start with Mr Martin.

Mr Martin: Thank you very much for coming this morning and the obvious work and thought you've put into this legislation. Your recommendations are wide, full and comprehensive.

We had a very eloquent presenter in Ottawa on Friday named Penny LeClair, who's a deaf-blind individual. Her concern was that we weren't going to take the time necessary to do the work that was required to make sure this bill in fact did all of the things everybody would wish for, for example, removing phrases like "having

regard to" and "if technically feasible" and those kinds of things. What we refer to at Queen's Park as "weasel words" should be taken out of there.

We're suggesting as a caucus that we need to wait until the intercession, in January, February and March, and travel more widely, listen more clearly and take whatever time is necessary to make sure that when we do this very important piece of work, it's done right the first time and we won't have to be continually returning to it to make improvements.

Given the wide range of recommendations you made this morning and the fact that, for all intents and purposes, this will be done by next Tuesday if the government sticks to its time plan, what would be the most important piece for us to focus on and make sure is in this bill by way of amendment for next Tuesday, from your perspective?

Ms Bailey: I don't think your question is fair, because we need it all. That's my opinion. In terms of life as a disabled person, I can tell you that the primary issue for somebody who is blind, vision impaired or deaf-blind is access to information. Some 90% of the information that an individual with full sight receives is received through sight. When you don't have the vision, you miss that. That's a really critical piece. However, we get that information in whatever format that is feasible. That is an important piece.

Mr Spina: Thank you, Ms Bailey, for coming forward. I wanted to address a couple of issues.

The Chair: You'll have to be brief.

Mr Spina: It has to do with the time frame. One of the elements is that governments of all stripes have tried to float a disability act. It's important that we want to get this thing into place for Christmas with amendments. You've brought forward, as well as others, from Mr La Bute right on, important amendments.

I'll draw two parts of the bill to your attention. Section 22 says that regulations regarding timelines, the adoption of codes, contents of plans and policies and criteria to identify agencies in preparing accessibility policies can all be done in regulations. I've been assured by Minister Jackson and ministry staff that there will be a consultation with the stakeholders in the development of those regulations over the next three or four months, and that will take place in whatever form the act gets passed in before Christmas.

Lastly, section 21 in the act says, "The executive council shall cause a review of this act to be undertaken within five years after this section comes into force." That means whatever government of whatever stripe is in place five years from the time this bill is passed will have to review it to ensure that improvements can be made to it. If you have a comment, I'm sure the Chair would welcome it.

Ms Bailey: Are you asking me for my comment? Sorry, I can't see your face.

Mr Spina: Yes, please.

Ms Bailey: OK, thank you—your facial expression. Sorry.

Mr Spina: That's all right.

Ms Bailey: In terms of time frames, I just want to say that the act needs to be comprehensive, that it needs to be correct and that it needs to demonstrate a high level of understanding for the needs of people with disabilities. If it takes time to get it done right, then that's important. As far as reviewing the legislation is concerned, reference was made to improving and exponentially changing technology and how that impacts on people with disabilities, on our lives. Given that, I think that in five years some things, even access to information, the production of alternative format, are going to have changed. I don't think five years is soon enough for reviewing it.

Mr Parsons: It was an interesting presentation. We've already waited six and a half years, from 1995, for this to be passed. There's now a mad, magical date, that it has to be through by Christmas. The reality is that because of numbers the government can put through anything they want at any time. If this bill goes through unamended, on a scale of one to 10, what does it do for the people you represent, who are visually impaired, blind or deaf-blind?

Ms Bailey: My interpretation, and I speak as a consumer at this point, is that the proposed legislation has loose terminology, loose definitions, is open to loose interpretation and doesn't have enough tooth. At the end of the day, why settle for it? That's my question.

The Chair: On behalf of the committee, thank you very much for your presentation this morning.

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CANADIAN HEARING SOCIETY, WINDSOR REGION

The Chair: Our next presentation is from the Canadian Hearing Society, Windsor region. I would ask the presenter or presenters to please come forward. On behalf of the committee, welcome, and you have 20 minutes for your presentation this morning.

Mr David Kerr: My name is David Kerr. I'm the regional director for the Canadian Hearing Society for Windsor and Chatham. Thank you for allowing me to come here to present today, Mr Chair and members of the committee.

I would just like to say that the Canadian Hearing Society appreciates that the government has started the process in order to introduce Bill 125, the Ontarians with Disabilities Act. It's a very important piece for the entire community. I also want to say that the Canadian Hearing Society has been heavily involved with the ODA, the Bill 125 committee, and as well, in the past, in lobbying for improvements to accessibility for consumers in this province.

For example, we think about the Eldridge decision in 1997, the federal decision, the decision of the Supreme Court of Canada, saying that full accessibility be provided for deaf and hard of hearing people across Canada through the services of interpreters, and that has carried far and wide. Also, the right to have the government pay for interpreting services in the courts for any cases

because a deaf lawyer does not have accessibility: that case too was won.

There is the Ontario Human Rights Commission's new Policies and Guidelines on Disability and the Duty to Accommodate in 2000.

The only piece there is that this is based on individual need, meeting the needs of individuals. I feel the piece that's missing is to clarify it for a group like ODA, specifically as a group, and identify that as opposed to individuals, and if I could just give an example, with stronger and more specific enforcement mechanisms.

Some of the positive points for Bill 125 are that it requires the government ministry to identify an annual accessibility plan to specifically identify, remove and prevent barriers for deaf, deafened and hard of hearing people in legislation, policies, programs, practices and services. Accessibility plans will be made public. We are quite impressed with that piece.

Also it is very helpful that the accessibility directorate of Ontario be established within the Ministry of Citizenship, and that the Accessibility Advisory Council of Ontario be there to advise the government. These two organizations will be responsible for programming and partnerships, and will develop public education so that we can overcome some of the attitudinal barriers that exist.

It's very helpful to encourage active participation in the variety of sectors in establishing accessibility standards.

Those are three positive points, but we have some concerns in that there are some changes that need to be made before third reading of this bill. One piece that's missing, which does not have any teeth, is identification, prevention and removal of barriers. They need to be clearly defined. Within the bill there's some ambiguity. The reason we have concerns is because of the experience we've had with Bill 4 and the Education Act, that ASL, American sign language, and la langue des signes québécoise be recognized as languages of instruction in schools. It was enacted and we looked forward to the changes, but enforcement does not exist and we are now looking at eight years with really no action.

That was the proof to us that things may not happen. We don't want to see the same thing with Bill 125. We're a bit concerned about that. We feel we need a very strong enforcement procedure, and we need that documented within the bill. We need stronger planning and clearer goals set.

Most business people develop a business plan, and I'm sure we're all aware of that, so that we understand where we're going, and then we end up with better results in the end. Without a business plan in Bill 125, how can we possibly see where things are going? We can argue our way through it. I think this will affect deaf, deafened and hard of hearing people, as well as other disabled people in the province. What I'm asking for is a clear business plan within the bill so there will be stronger and more clearly established goals that we can work toward. This can only be positive for outcomes in the future so that

we're sure everybody understands and has a similar interpretation.

Here are some of the barriers that face the deaf, deafened and hard of hearing people who are obviously the consumers our organization is involved with.

For example, Ontario Works and ODSP employees still say to deaf, deafened and hard of hearing people that they're responsible to book a sign language interpreter or a captionist. It's not the consumer's responsibility. That belongs to agencies and organizations such as ODSP and Ontario Works. That needs to be made clear. That's a barrier to consumers, who don't know where to turn.

Staff of municipal and provincial government offices are not particularly sensitive to the needs of deaf, deafened and hard of hearing people. For example, telephone and voice mail information: access at points of entry to services is not available—there's not a TTY telephone device for the deaf available at these points of entry, to become more accessible.

Another one is that the Ministry of Training, Colleges and Universities sent a letter to the Canadian Hearing Society saying the ministry does not have the legal authority to require private vocational schools to provide interpreting and real-time captioning free of charge for their students. That is a real concern because private schools and private colleges are being encouraged and established and deaf people will not have accessibility to these educational institutions.

Previously, deaf, deafened and hard of hearing students would go to Gallaudet University, the only liberal arts university for the deaf in the world, but now the problem is that because of cutbacks in funding, our students are no longer able to access Gallaudet University because of the change from vocational rehabilitation services to ODSP. So we have deaf, deafened and hard of hearing students who can't afford to go to Gallaudet University in the States. They are forced to go to a hearing university and there's a lack of interpreting services available. If there's not an interpreter, they can't access an education within a college or university. Lots of deaf students become trapped within the system because there are not enough interpreters.

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At the same time, out in the general community, there are not enough interpreting services in the pool. Interpreters are more thinly spread and there are not enough new interpreters being trained. That has caused a great upheaval because of the dwindling number of students who are able to access Gallaudet University. Ontarians used to make up the third largest group of students at Gallaudet University and we are now at the bottom of the numbers. This all happened within eight years. They also can't access Rochester Institute of Technology.

I was supported by vocational rehabilitation services to go to university. I'm now working and independent and have no need to live on public funds. I think the taxpayers' dollars were spent wisely in allowing me to attend a university.

Most deaf, deafened and hard of hearing people trying to access constituency offices or Queen's Park are not

able to have access because interpreters are not available at the last minute. Most offices don't have a TTY to make it telephone accessible for us.

As recently as September 2001 it was determined that boards of education were not responsible for establishing standards for interpreters hired in the school boards across the province. We want quality, qualified interpreting services for our students in the education system, because if the services aren't up to par, our students are going to get a lower education. So equalizing the playing field is not happening for our students.

The ministry also says it's not responsible for American sign language communication proficiency for the teachers of the deaf in the schools for the deaf. Their skills are not improving as they work day to day with our students.

We feel we need a stronger plan with clearer identification where things need to go rather than the ambiguity, which we don't want to continue. If we have a plan, then we can work toward that goal.

Our recommendations would be that we have clear, specific goals for ODA for the identification, removal and prevention of barriers; that barriers be identified, removed and prevented within specific time frames; and that the removal of barriers be enforced within the broader public service and the private sector through legislation. We need a stronger vision and plan to prevent barriers in the future to avoid wasting taxpayers' money. Let's do it now. Let's remove those barriers and essentially we'll have less of an impact on the taxpayers' funds.

We need to allow for strong involvement of the deaf community and the disabled community for active participation in order that there be no misunderstandings and misinterpretations in the future.

We need a better way to ensure stronger legislation through a provincial advisory committee and municipal advisory committees for legislation that has more teeth. We can't ignore this.

We need the enforcement of Bill 125 to equal the Supreme Court of Canada's decision in the Eldridge case. We need to come at least up to that standard.

The recommendations from the ODA committee are supported by the Canadian Hearing Society.

I need to check on how much time I have left.

The Chair: You still have about three or four minutes.

Mr Kerr: Thank you. We need the establishment and implementation of a plan to remove the barriers that are in existence today and the prevention of the creation of new barriers in the public service and with employers of deaf, deafened and hard of hearing consumers.

We need the establishment of cultural and disability-sensitive training for service providers and employers of deaf, deafened and hard of hearing people to make them understand the legal rights.

We need to hire accommodation coordinators where necessary to provide service to deaf, deafened and hard of hearing people; to identify specifically what the issues

are; and to make it clearer to the government where things need to go.

We need employers to establish a procedure to accommodate all employees who are deaf, deafened or hard of hearing. We need to make sure that qualified interpreters and captionists are made available.

We need to become more familiar with and make appropriate use of the terminology describing the disabled, people who are deaf and people who have a hearing loss, rather than using the term "hearing-impaired."

We need to involve the Ontario Association for the Deaf, the Canadian Association of the Deaf and the Canadian Hard of Hearing Association to receive quality information that we've collected over years of involvement with our consumers that can only be useful to the ODA.

If it remains as it is, the ODA will be considered a missed opportunity without some of these changes, so take time to ensure the identity, removal and prevention of barriers by a more specific process and a business plan, and make use of such a plan. With that, I thank you.

The Chair: We have time for a quick question from each caucus. We have one minute per caucus. You have to make it brief.

Mr Spina: Thank you, sir. We really appreciate the presentation. It was important to get your perspective on this bill.

Mr Parsons: I have the same question I've asked the others. Without amendments, does this bill remove any barriers for you?

Mr Kerr: It's much as I said about Bill 4, with American sign language and la langue des signes québécoise being recognized as languages of instruction. That bill was enacted. I'm very much afraid there were no time frames with Bill 4 and all the other pieces I've mentioned. In eight years there's been no action. It was enacted and then pushed aside. I don't want to see history repeat itself. Without some of the pieces I mentioned, the time frames being put in place and the business plan, all I can say is that we are basically looking at a missed opportunity.

Mr Martin: You've tabled this morning some very specific things that need to be in this bill if it's going to be helpful to the deaf community. You didn't talk about the resources necessary. What do you think needs to be done in terms of the resources to support some of what you think is needed?

Mr Kerr: Perhaps you would clarify the kind of resources that—

Mr Martin: Obviously the government needs to put money on the table if the deaf community is going to be able to participate in the way that you yourself are participating and that obviously they need to. What kind of money are we looking at?

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Mr Kerr: Specific to deaf, deafened and hard of hearing people and the resources necessary, obviously I think we need, for example, apprenticeship programs for interpreters, sign-language interpreter training; real-time captioners, as we're seeing here today, an apprenticeship

program perhaps for that—very specific to those two human services that we need.

We also need sensitivity training for, for example, the government as an employer of deaf, deafened and hard of hearing people, so sensitivity training being provided.

Also there needs to be a review of the ability for deaf, deafened and hard of hearing people to attend university, such as Gallaudet in the United States and the Rochester Institute of Technology—a very special group of people who need to be able to access the programs there, because they are the only programs in existence for deaf, deafened and hard of hearing people specifically.

I guess another barrier that needs to be removed is the attitudinal barrier.

The Chair: On behalf of the committee, thank you very much for your presentation this morning.

KEVIN MacGREGOR

The Chair: Our next presentation is from Kevin MacGregor. If Mr MacGregor could please step forward and state his name for the record. On behalf of the committee, welcome. You have 15 minutes for your presentation this morning.

Mr Kevin MacGregor: Hello. I'm Kevin MacGregor. Sorry to keep you waiting. I'm very glad to be here today, as I'm sure all of you are. This is a very amazing thing that's happening right now. The fact that there is a bill at all that's been put forward is a wonderful thing. I also think it's a wonderful thing that the government has decided to send a committee out to talk to the people, to see how the people feel about the bill and how it will affect or not affect our lives.

I have little to offer in terms of jargon; I heard the words being used earlier. I'm not a lawyer, and I don't represent any specific body. I'm not an elected official. I am just here on my own grounds. I know I have many supporters behind me, but I don't represent any particular group. I'm sure my mother is praying for me right now, and I know the cab driver that drove me here is praying for me too, because I asked him to. I probably won't even look at my notes, because I probably can't read them right now.

But I did make it in here to see you, and I did have a little bit of a difficult time. There's no way of everybody knowing all the barriers, especially being a person with a brain injury, as I am.

It seems to keep popping up, and I'm glad to see people with brain injuries being represented here. I did make it. I missed a few of the elevators on the way up, and the guy out front had to hold my hand and take me to find the elevators. We got up here and I found the right room, and everything was OK.

I think what I can offer you today is just how important it is to make changes to the bill that's in front of you right now. I'm sure you've heard from David Lepofsky and the whole ODA committee. He's the man who all of us do stand behind. You can take his presentation and the amendments that his group has put

forward and put my name beside those recommendations, and you can put down my friend Kirsten's name, who couldn't come with me today because it took too much time to arrange for this. When I went to the Clubhouse, which is a place for people with brain injuries in London, there was a friend of mine called Kirsten. She lives in a wheelchair in a nursing home, and she has had a brain injury. She's in her middle age, and she knows about what's going on. She's gone to some of these meetings with me and has expressed her opinion. I said, "What do I say to these people? I'm terrified." She said, "Kevin, it's so easy. All you have to do is sit there and ask them a question: 'How much do you value your freedom?' and demand an answer." I'm not going to do that, because I think that's a personal answer and it's not something that people need to put in front of everyone else. But this is what we're talking about: freedom.

This is one of the last great barriers that face us as a community. We've already accepted women into our ranks, and that has done wonderful things for us, even though we did have to build extra washrooms and install a few change tables in some restaurants, but we have benefited greatly by the contribution of women and the acceptance of women. Around the same time, we began to accept people of different colours and different races. I can't even begin to describe how great, because our whole country is based on that type of diversity. Over the years we have gotten more and more diverse. But there are still groups who are left out, and that's why we're here today.

This is a great opportunity. What is most important for me and many of the people who have brain injuries—we can't change the changes that have occurred to our brains, to our cognitive abilities, which may have affected our eyes or our ears or our body or our ability to process or be in busy areas, but what we really want is to see the change of attitudes. That's not something that any government can write into a bill—"From now on, everybody must be nice to each other and be compassionate to each other"—but when I go and talk to different groups, they all say that's an easy thing for people to learn when we begin to rub shoulders with each other, and that's what we need to start doing.

I think my generation is pretty much a lost cause. I don't see the attitudes of people my age or older being able to change within any time frame that I'll see. But I'm here today because one day I'm going to have grandchildren—there may be people in this room who already do have grandchildren—and I don't want to see my grandchildren walk in a separate door, away from their friends, and miss the punchline of a story. I don't want to see my grandchildren not being able to go into the dance with their friends. I don't want to see them suffer and be isolated, because I know they're valuable, and I know the people with disabilities in this room whom you will see and you're going to meet—you already have met incredible people, and I think you're incredible people to be here and to represent the people of your communities and to listen and to make these decisions. That's the life path that you've been given, and it's a wonderful thing.

I've been given a life path that has been changed by powers that are beyond me. I was struck by a car as I was crossing the street at a crosswalk. It's funny; someone mentioned that earlier: imagine if you were hit by a car and suddenly got a brain injury. That was me. Before that, I was in university doing a master's degree. I was teaching and I was in computer science. So I was in kind of the perfect position. My colleagues were being hired, I have to admit, mostly to the States, because they could get \$100,000 American and all sorts of wonderful prizes. I was taken away from that and I learned a whole other world. Instead of being a soccer player, being watched by the girls, I was the man on the sidelines who was being ignored and was not even able to go to the soccer game because of the time I spent in a wheelchair or the difficulties I have with crowds.

We need to change these attitudes and to make amendments to the bill. I think one wonderful idea in the bill that can really, really help is the concept of the councils. Everybody has already spoken to different specific ideas of changing the council, but as you are contemplating making changes and thinking about making more changes in the new year by having a group go out and listen, I think it would be wise to perhaps put together your provincial council first, to give them the power to listen and to recommend strong changes that the government is bound to listen to. Of course, you can't listen to 100% of everything all the time, but I think the people with disabilities need to be putting this together themselves, along with their friends and business.

I'm not isolated from business, of course; nobody is. I have a friend who I graduated with. He works for the Bank of Montreal in Chicago. He moved up quickly from Windsor to Toronto to Chicago and he's a very successful banker. I was talking to him about all the things that we want to do. He said, "Well, they're probably worried about some business issues," and I said, "Yes, of course they are. It's important, but"—and I talked to him more about the things we wanted to do. He said, "You know, it all makes perfect sense to me and I don't see why it's complicated. If you want to give them a message from me, just make sure there's no MPPs on the council and then they will really get things done." You probably know many bankers yourself and you can probably hear bankers saying that: "Just make sure there's no MPPs. Let the people with disabilities sit down with the people in business and we'll work it out. It's not a very difficult thing to do."

I know I would be worried about some of my local businesses, because I live in a community with lots of small business. I know that suddenly making changes would be a burden to them, but I know that if we had a plan that we could give to them—this is what they asked me. They say, "Kevin, where's the plan? Maybe the government can give us a plan that we can follow, because maybe I can't afford to make all these changes next month, but if I have a five-year plan I can do it." I stand behind those words, because if they can't afford the labour, I know many people who have brain injuries or

have different disabilities will be more than happy to help turn the gravel and help lift the shovel and help do the labour ourselves. All we ask is that maybe somebody share a lunch with us and we can talk together, and not only will you learn from our labour but we have a lot of insight because we are people who have lost everything and have regrown it. That's powerful thing to share with people.

I think people like my friend Kirsten, if she were on any board or even if she were in any business just to help people get coffee and give them directions, if it were Kirsten waiting for me at the front door to show me where the elevator was—and you wouldn't have to pay her; she'd be happy to do it—she'd be a wonderful presence that would contribute to everything that would happen here. That's the sort of acceptance, that's the wide variety of things, that people can do and the attitudes that need to be changed.

We do need to make changes. I think these councils are a big opportunity for us and that the provincial council putting together their own ideas, upon their own travel and listening, can set up the guidelines for the local councils, who can take on their own responsibilities. I think local councils can provide important mediation services for anybody who has a problem understanding what needs to be done to their business or to their community group. They can come to the local council and bring forward their issue and everybody on that council would be happy to help.

As far as putting together the council, it's not too difficult to understand that you can have representatives of people who have disabilities that come from various groups. Just think of your senses. People who have no ears to hear any more can speak the most eloquent speeches, as we just heard, so we would need someone like that. We would need people who don't see as well any more—the senses of the eyes—and we need people who have lost some of the senses of their cognition that have given them insight. Just think of the different senses and the diversity that will be represented and when that diversity that will be on the council can come forward and be in the schools of our grandchildren so that our grandchildren can go to school together and it doesn't matter what type of disability they have. I know that if I have grandchildren, I want them to go to school with people with disabilities because of all the things we can learn from each other.

I think I'll just end with that. Thank you very much for having me. It's wonderful.

The Chair: Thank you very much. We have one minute per caucus, and I'll start with the official opposition.

Mr Parsons: I really don't know what to ask, because that was a very moving presentation.

In my role as critic, I have realized that while some disabilities are readily identified by the public, others are not, and you represent a perspective that is not well recognized. What kind of education program do we need to do to make employers aware of the skills and the energy that you can bring to them?

Mr MacGregor: I think the first step would have to be right in education in schools before it can be with the older people. Maybe we can start with the bigger, important chunks and maybe it's the younger people we can start with. I don't know.

In terms of education, I have a friend who was also at the Clubhouse and he was taking a university course at his own expense to try and test his skills at learning. He was doing really poorly; he was failing. He had maybe a 30% or something. He was able to get a grant from some group that was able to provide for him a tutor, and for that small cost for the tutor he was getting As. He couldn't afford to keep on having a tutor, but if there was a local council that he could go to for council grants—and this is an idea from overseas, where there are local council grants that can help people who have specific needs, because we can't identify them all and the local councils need to have that sort of power and flexibility where somebody like this man can come forward and say, "I can get a university education and I can learn to really take a chunk out of this world, but I just need some money for a tutor because I'm living on disability, I'm living on \$700 a month, and I need that little, tiny bit of help." I think it would be nice for a local council to be able to do that.

Mr Martin: I want to thank you for taking the time and making the effort to be here today, coming all the way from London and bringing with you the thoughts of Kirsten and of your banker friend in Chicago. We need to hear from all of those people and yourself. I think you're right: this is a wonderful moment. It's a chance for all of us to do the right thing on behalf of people who are challenged across this province, to include them in the everyday life of their community.

We're hearing very clearly across the board that the bill that's on the table, even though it's a place to start, doesn't do the trick. Your friend David Lepofsky has tabled some significant and serious amendments. I'm hoping the government will hear you as you say to us today, "Please do the right thing," and that we will all participate in that in the end.

The one piece of the bill that you've focused on, that I think you're absolutely right needs to be done right, is the provincial councils and listening to the voice of the various communities of disabled people across the province. In your view, who should be making those appointments? How should we be making those appointments?

Mr MacGregor: Somebody always manages to find the question that I've had a hard time answering. That's a very good question. I think it's hard to put up a whole electoral system just for that sort of thing, so it definitely has to be something that has nothing to do with parties. That's a really important component. As soon as we start introducing loyalties, we introduce complications. There are plenty of heroes within the province that the government will be able to find through their MPPs, well-qualified people who have been able to come forward. I'm not saying that David Lepofsky should be on the council, but there are other people who are David

Lepofskys who can be on that council, and I think they need to be found through the communities.

The Chair: Thank you very much. To the government side, Mr Hardeman.

Mr Hardeman: Thank you very much for your presentation, Mr MacGregor.

From your presentation, I would take that the most important aspect of what needs to be done for the brain injury folks is communications and public relations, to get the public to understand. It doesn't require the rebuilding of a building; it requires somebody in the building to help you, to kind of point the finger as to where we need to go.

My vision of the act is that the local committees will have the ability to do a lot of that, to tell the local municipalities what needs to happen in their community as they develop the plan and then as they work with the municipalities in informing them whether they're achieving the goal or what more needs to be done.

The first question is, do you see that possibility too, that the local committees would be able to do that? Also, the question was asked this morning about the cut-off, where municipalities with less than 10,000 do not need to have a local committee. Do you see that that's a problem, that we also need to provide that ability in smaller municipalities?

1140

Mr MacGregor: I come from a small community originally. I'm from Hanover, which is now famous because it's right beside Walkerton. It's an unfortunate way to become famous. I grew up just outside of that town and I know that if I want to go and visit my mother, there is no way for me to get there. I don't know who is responsible, which council that would be, but it would probably be a provincial thing.

I've lost myself. Sorry. What was the last part of that question?

Mr Hardeman: Do you believe that the local committees will be able to facilitate the communication we need to educate the public on the requirements that are there?

Mr MacGregor: Maybe one thing the provincial council can do is to come up with all the guidelines for the community councils. But I do know that my hometown isn't covered under this, just because it's only 6,500. We have a Tim Hortons and a McDonald's, though, so that puts us on the map for travelers on the way to their cottages up in the Georgian Bay area. Most of the Georgian Bay area won't be covered. Owen Sound might be covered. It might be difficult for a small community like Newstead, which is near where I live, with just a few hundred people, to be able to support a whole council, but maybe the council in Hanover could be there for them instead. The jurisdictions might reach outside of the city to help the local areas as well, to cover the smaller towns.

The Chair: On behalf of the committee, thank you very much for your presentation this morning.

MULTIPLE SCLEROSIS
SOCIETY OF CANADA,
ONTARIO DIVISION

The Chair: Our next presentation this morning is from the Multiple Sclerosis Society of Canada, Ontario division. I would ask the presenter to please come forward and state your name for the record. On behalf of the committee, welcome. You have 20 minutes for your presentation this morning.

Ms Dora Lee Bugeja: My name is Dora Lee Bugeja. I'm a volunteer of the MS Society, Windsor, Ontario chapter and I'm here to speak on behalf of the Multiple Sclerosis Society of Canada, Ontario division. I have to say I do have MS and I do slur. I apologize for that.

The Multiple Sclerosis Society of Canada, Ontario division, is pleased to be able to provide input on Bill 125, the proposed Ontarians with Disabilities Act. The MS Society of Canada is a national organization with regional divisions, of which the Ontario division is the largest.

An estimated 18,000 Ontarians have multiple sclerosis. Every day in Canada, another three people are diagnosed as having this disabling disease of the central nervous system.

The mission of the Multiple Sclerosis Society of Canada is to be a leader in finding a cure for multiple sclerosis and enabling people affected by MS to enhance their quality of life. We accomplish this mission by supporting both research, services and social action and advocacy programs. The comments that we are providing in this submission are the result of dialogue with members across Ontario.

Response to Bill 125: the Multiple Sclerosis Society is very appreciative of the leadership of Minister of Citizenship Cam Jackson in bringing forward the first legislation of its kind in Canada. Bill 125 provides a framework for making this province truly barrier-free for Ontarians who are disabled. However, Bill 125, as it stands, is only a first step. Minister Jackson has stated this bill puts people with disabilities in the driver's seat. Unfortunately, the bill does not provide a vehicle for people with disabilities to drive, and we hope this public hearing process will result in strengthened legislation that is truly forward-thinking and -acting and will allow people with disabilities to obtain their rightful places within the full range of opportunities within Ontario.

Positive aspects of Bill 125:

Definition of "disability": the MS Society is pleased to see that the definition of "disability" has been widened to make it more inclusive of people who have disabilities that are not just related to mobility impairment. We question why, in some cases, the cause of a particular disability is mentioned. The committee may wish to look at this part of the wording.

Establishment of an Accessibility Advisory Council of Ontario: the MS Society believes the creation of an accessibility council, with a majority of members being people with disabilities, to be a positive step forward.

Establishment of an accessibility directorate: the MS Society applauds the creation of an accessibility directorate to be very useful. Providing a centre of expertise on how to avoid and remove barriers should be of benefit both within and outside government.

Commitment to remove barriers within the public sector: generally speaking, the MS Society is pleased with the ideals that are voiced within the section of the bill that deals directly with the public sector. However, we have identified particular sections that should be changed and/or strengthened to make the entire bill much more beneficial for people who are living with the disabling effects of multiple sclerosis.

Recommended changes to Bill 125: in an effort to assist in the work of this committee to strengthen Bill 125, the Multiple Sclerosis Society of Canada, Ontario division, respectfully submits a series of amendments.

Widen the purpose of the legislation: we suggest that the purpose of the legislation, section 1, be widened to better capture the intent of Ontario's Vision for Persons with Disabilities, signed by Premier Mike Harris and Minister Cam Jackson, unveiled November 1, 2001. Currently, the purpose is "to improve opportunities for persons with disabilities and to provide for their involvement in the identification, removal and prevention of barriers to their full participation in the life of the province." We suggest more inclusive language would be the following: "The purpose of this act is to achieve a barrier-free Ontario for persons with disabilities through the identification and removal of existing barriers and the prevention of new barriers with the significant involvement of persons with disabilities."

No reduction of rights: some people with MS have told us they are worried that one result of the proposed legislation is that it might actually reduce the existing rights of people with disabilities. To overcome this fear, we suggest that section 3 be amended to read as follows: "Nothing in this act or in any regulations or guidelines made pursuant to it diminishes in any way the obligations of any person or organization, including the government of Ontario, to persons with disabilities, whether guaranteed under the Ontario Human Rights Code or under any other act or regulation in Ontario."

Barriers are not just physical: section 4 of the proposed legislation could easily be interpreted as just promoting accessibility on the basis of physical disability. We strongly suggest that section 4(1) be amended to address all types of barriers that impede people with disabilities, not just physical access barriers. Linking the level of access to the Building Code Act, 1992, section 4(2), addresses physical access issues on a very minimal level and does not address other types of disability access problems.

Removal of barriers in existing buildings: while section 4 deals with imposing guidelines to promote accessibility for persons with disabilities in buildings, structures and premises that the government leases, constructs or significantly renovates in the future, there is no requirement that existing buildings, structures or premises

be made barrier-free in a prescribed, timely fashion. We strongly urge that the timelines to address barrier problems in existing buildings be addressed.

The MS Society is also concerned about the language in section 4(5) which instructs the government to "have regard to the extent to which the design of the building ... complies with the guidelines, in determining whether to enter into the lease." Language such as "to have regard to" provides no protection for people with disabilities. It appears the intent of this section may be to provide a loophole for non-compliance with section 4(4). We strongly suggest section 4(5) be deleted.

We have similar concerns with section 9 which, in dealing with government-funded capital programs, states such projects "may include requirements to provide accessibility for persons with disabilities as part of the eligibility criteria." We strongly urge deletion of this phrase and amendment of this section by requiring such projects to meet barrier-free goals.

Purchase of goods and services: the above comments relate as well to section 5, which states that the government of Ontario "shall have regard to the accessibility for persons with disabilities to the goods or services" being purchased. The government of Ontario must show leadership in the provision of goods and services and not provide itself a loophole for non-compliance.

Responsibility to government employees: the Multiple Sclerosis Society believes there is a great opportunity for the government of Ontario to provide more leadership vis-à-vis its own employees by strengthening all aspects of section 8. By strengthening this section through amendments, the government of Ontario can go beyond the minimum standard of the Ontario Human Rights Code.

A possible amendment to replace section 8(1) is: "The government of Ontario shall create and maintain a barrier-free work environment in which persons with disabilities can obtain employment, fully participate in all aspects of work life and advance in their career goals."

1150

Ministry accessibility plans: as described in section 10, the requirement that ministries prepare an accessibility plan is a useful part of an annual planning process. The MS Society, however, strongly recommends that this section be amended to require specific timelines for achieving these plans. It is not enough to file a plan year after year without a penalty coming into force for not achieving the plan. The Ontario Human Rights Commission could be given the responsibility to review all plans in case of non-compliance and then seek an order from the Ontario Human Rights board of inquiry to require compliance if necessary.

Duties of municipalities: people with MS have told us they are very disappointed that the only requirement of municipalities within the proposed legislation is to prepare an accessibility plan. We can see no enforcement mechanism with Bill 125 except that of public opinion, which to date has not been very effective in providing a barrier-free Ontario for people with disabilities. The MS

Society strongly urges amendments be made to this section to require that municipality plans have timelines, that they be implemented within those timelines and that there be an effective enforcement mechanism, similar to our recommendations relating to the obligations of government ministries in section 10.

Duties of broader public sector organizations: unfortunately, in terms of broader public sector organizations, we have to reiterate our concerns of the duties of municipalities. We fear the mere preparation of an accessibility plan will do little to alter the barriers that people disabled because of MS or other reasons face every day of their lives. The proposed legislation does not provide for timelines, nor suggest that the regulations will contain timelines, and contains no enforcement mechanism.

Earlier this month, an MS Society volunteer was not able to attend a meeting at Hart House on the University of Toronto campus, within view of this Legislative Building, because there was no elevator that would have allowed him to reach the second floor. He felt he could not safely climb the 32 steps up the marble staircase. How many students, disabled because of MS or other reasons, are kept out of that building every day? Will this proposed legislation prevent this exclusion from happening again? We fear not.

Regulations: while the legislation allows regulations to be made which might include various time periods, we urge that the legislation contain timelines for regulations to be enacted. This would provide an objective framework for action. For example, section 22(1) could be amended to require that regulations be enacted within six months after the legislation takes effect. However, we also urge that, as stated above, certain sections of the legislation should include timelines.

Omissions of Bill 125: the most serious omission of Bill 125 is the lack of requirement upon the private sector to contribute to a barrier-free Ontario. As one woman with MS remarked, "I'm more interested in getting into my doctor's office or in shopping than I am in attending a city council meeting. This legislation does nothing for me."

The Multiple Sclerosis Society of Canada, Ontario division, believes private sector omission is not only discriminatory, but is costing the province of Ontario money. We have heard from more than one disabled American how backward they find hotels, restaurants and shops in Ontario compared to the United States. We have heard from our own members in Ontario how they would rather travel in the US because the Americans with Disabilities Act has required the business sector to make facilities accessible to the public—all of the public, including people who have disabilities. We are disappointed the current legislation does not begin phasing in requirements for the private sector and urge the government of Ontario to correct that oversight as quickly as possible.

In terms of the proposed legislation, we believe that the changes we strongly recommend will greatly strengthen Bill 125 and bring it much closer to Ontario's Vision for Persons with Disabilities.

The Chair: Thank you very much. We have time for one quick question, one minute, per caucus.

Mr Martin: Thank you very much for coming this morning, and for the obvious effort that went into preparing your presentation. You lay out very succinctly and clearly all the shortcomings in this bill and the requirement that's needed for amendment. You also make a very troubling comment, particularly in light of the presentation we heard earlier today from the bilingual legal clinic of the Windsor area, to suggest that in fact this bill may take some things away that are already in place. You ask for an amendment that would protect, that would say nothing in this act or in any regulation diminishes in any way.

Having said that, if the government isn't willing to move on some significant and serious amendments, and as my colleague Mr Parsons has asked a number of times here this morning, in your view, would it be simpler or smarter just not to move ahead with this bill and start over?

Ms Bugeja: Personally, I think this bill is a first step. I have MS too. I've experienced many barriers in my lifetime, and I'm going to experience many more. I think it's a first step. There are a lot of changes and a lot of things we have to work on, definitely. But I really believe we should get this passed. I really believe we need this. It's a start.

Mr Spina: Please don't make any apologies for—it's up to us to be understanding. I hearken back to Mr MacGregor's comment earlier.

We appreciate your comment, and also the fact that you indicated that it is an important first step. Just because the bill goes through now and it doesn't include everything, it at least will make a significant effort to move forward. We do have the next few months ahead to put a lot of the indications or requests and recommendations that have come forward from the various groups into the regulations. The minister has assured us that he will consult with stakeholders in the implementation of those regulations.

Mr Parsons: I have a very close friend who has MS, and he discussed this bill with me. I need to, first of all, mention that your statement about this being a good first step—we need to remember that the regulations will not change the bill; regulations simply implement it. His concern to me, and I'm going to ask your opinion, is that it doesn't matter what's on paper; it requires the public will to make it work. It requires the public support of it. His fear is the public will read in the paper that the ODA is now passed, you have rights, all the barriers have been removed, and that there will be no impetus to do that second step. The first step could in fact become the final step. That's in contrast to your answer to Mr Martin's question.

Do you have any concern at all that this first step could be an end; that it may address one person's problem, but it doesn't address the societal problem?

Ms Bugeja: No. That's a 50-50. It might not be an end, but then it might be an end. That's a 50-50. That's a hard question.

Mr Parsons: It took six and a half years to take the first step. Are you ready for six and a half years for a second step?

Ms Bugeja: Well, you know what? I've had MS for 20 years. I was paralyzed in a wheelchair, and it took me a year and a half to take my first step again. So if it takes six years, I'll do it.

The Chair: On behalf of the committee, thank you very much for your presentation this afternoon.

For the staff and the committee members, lunch will be served in the Riverside Grille. You don't have to cross the road, by the way. It's just inside the building. Also, the room will be secured, so you can leave your personal contents in the room.

This committee is recessed until 1 o'clock this afternoon.

The committee recessed from 1200 to 1300.

WINDSOR-ESSEX COMMUNITY ADVOCACY NETWORK FOR PERSONS WITH DISABILITIES

The Chair: If I can get your attention, I'd like to bring the committee back to order. Our first presentation this afternoon will be from the Windsor-Essex County Advocacy Network for Persons with Disabilities. I would ask the presenter to come forward and state your name for the record, please. On behalf of the committee, welcome. You have 20 minutes for your presentation this afternoon.

Mr Tom Bannister: My name is Tom Bannister. I am the chair of the Windsor-Essex Community Advocacy Network for Persons with Disabilities.

I hope the Chair of this committee will not mind advising me at the 10-minute point of my remarks as I don't see well enough to see the clock. I'm sort of like the person in the store who gets the gift and doesn't know when to wrap it up.

The Chair: I'll give you notice at 10 minutes.

Mr Bannister: Thank you, Mr Chairman.

First of all, to identify my committee, the Windsor-Essex County Advocacy Network, WECAN, was established in 1991 to represent persons with disabilities in Windsor and Essex county. It is comprised of both consumers with various disabilities and agency members who are working in or have some interest in the disability field.

I first joined the committee and was elected chairman two years ago, after moving back to the area from Toronto where I had lived for 25 years. My involvement with the Ontarians with Disabilities Act in fact began in Toronto when I was a member of the CNIB advocacy committee in Toronto, where I sat as a member from the Toronto-East York district board of the CNIB.

I think if I were to give a topic to my reason for being here today, that topic would be that I am concerned. I am a concerned Ontarian who has lived with a disability all my life. I was born totally blind and in those days had to go where I could to get help for my eye condition. That

help was given to me in Detroit, where I received what little vision I have today.

The ODA, the Ontarians with Disabilities Act, should not just be an act that is left on the shelf. The ODA, as it sits now, has wording which concerns me, and it gives me questions: "Wherever feasible," these items will be enacted.

Question 1: Who decides what's feasible? Does the disabled person decide it? Does the business person decide it? Does he decide it out of the benefit of his heart or the goodness of his heart?

The other thing that bothers me about this act is its voluntary nature. As I said, gentlemen, I have lived my life with my vision disability and have encountered different barriers as I have made my way through life.

I remember applying for a job as a social worker at a psychiatric hospital in Brockville. I remember the gentleman who was interviewing me that day, because the gentleman who was supposed to interview me was away. I remember him saying, "You're blind, you know." I said, "Yes. I've been that way all my life." Those are some of the barriers.

Employment is a barrier. We can become educated. I hold a bachelor of arts degree from Waterloo Lutheran University. You know it as Wilfrid Laurier, but I knew it as Waterloo Lutheran University. I also hold a certificate in gerontology and had hoped one day to work in the field of geriatrics. I hold the certificate in gerontology from Ryerson University. When I began looking for jobs in 1994, having completed one career and completed the education to get another career, I was confronted with people who said, "Did you ever think of going back for more schooling?" These are some of the barriers.

Some of the people who represent agencies on my committee face other barriers. We have a group who work with mentally challenged people. These people are special, because although they may not see the world in the same way you and I do, these people still have a life and have a compassion for life and a desire to live life in the community. With the support services they currently have, they can do this, but the act should help bring down barriers and help them live an even fuller life.

I live in the town of Leamington; Mr Crozier knows it quite well. One of the problems that I faced when I moved from Toronto was transportation. I think the watchword is, "You can't get there from here." Let me briefly explain how I would get to Windsor if I did not have my 81-year-old mother who graciously got up this morning at 5:30. We left Leamington at 7:30 so we could come here today. If I wanted to come by bus, gentlemen, I'd have had to come to Windsor at 4 o'clock yesterday. I would have had to stay overnight and come and address you today. I would then have to stay another night before I could catch the 7 o'clock bus back to Leamington and be in Leamington by 8 the next morning. That's transportation in the rural setting.

As well as being part of the Essex county committee for advocacy, I belong to the CNIB district board. What happened then was that they called me and asked me if I

could attend a meeting in Tilbury. I, of course, said yes, because I had been used to going out the door and stepping on the bus and going down to the CNIB in Toronto and holding my meeting. So I said yes and they said, "Be at the Blue Bonnet Restaurant in Tilbury at such-and-such a time." I got off the phone, turned to my wife, Lyn, and said, "How do I do that?" Another friend of mine was going, and his wife was driving, so he took me.

The reason I mention employment and transportation is that all of the issues that face disabled people are interlinked. You can't get to a job if you can't have transportation to get to a job. If you have a disability condition that prevents you from driving, you either have to move away to a city that has a transit system or you have to try and make some other arrangement, carpooling or the like, hitching rides, to be able to get to a place. What happens to a senior who has been used to doing these things and living in a small community?

1310

The Chair: Ten minutes.

Mr Bannister: Thank you.

When these seniors are in a position where they can no longer go as freely as they can, they are stuck. They cannot move.

On to the advisory committee: I am concerned that the appointment of people to the advisory committee will, because of its nature, not allow sufficient time for persons with disabilities to be able to submit resumés and to become a part of those committees. You have seen already in Windsor and around the country how capable we are. I choose to put the "ability" part before the "dis." In my life, I choose to look at my abilities rather than my disabilities. I hope that when you consider this act, you will give careful consideration to these amendments.

The Chair: We have approximately three minutes per caucus and I'll start with the government side.

Mr O'Toole: Thank you very much, Tom, for your presentation and for the story that drives it home. I like the way you phrase it: "I like to look at my abilities as opposed to my disabilities." It is what I've heard these two days so far in the hearings. It is a matter, in many cases, of attitude for people who are trying to make this step with this bill to address the accessibility issues for a lot of different special requirements for people with all sorts of needs. I think this has been asked by every member, but certainly I would be interested. This bill, as some would define it, is a first step. It has probably been in the legislative ballpark, if you will, for many years—not just five years, not just 10 years. As you said, you've had this condition all of your life. Would you like to see this bill as it is currently written, with the regulations to follow, go forward? Or would you like to see it be another attempt to not achieve any first step?

Mr Bannister: Thank you very much for your question. It is one that I tried to give serious consideration to when I noticed what some people call flaws and what I call just TABs—temporarily able-bodied people—trying to address issues for disabled people. It is kind of like

Tommy Douglas's speech about the mice electing the cats where they had the choice of the white cats and the black cats. Of course, they made legislation for cats. No human being can make one-bill-fits-all. Basically, I feel it is the beginning of a process. It is kind of like half a loaf instead of no loaf.

If I could be assured that there would be some form of regulation in it, a watchdog agency, a group of people who could be sure to get it right—and that group of people should be comprised of disabled people in your region, in your community. My hope for WECAN, the Windsor-Essex Community Advocacy Network, as its chair, is that it will evolve into an agency to monitor the implementation. You will not get a perfect world.

When we had employment equity we still had alligators swimming under the surface who didn't want to give disabled people jobs, but the equity program that was in worked reasonably well. Vocational rehabilitation services worked very well for educating us, but as a former social worker—I worked as a social worker for a year in a psychiatric hospital—one of the downfalls was that when we finished school and attempted to put the employment part into effect, we met resistance from some employers, which is another one of the faults of the bill: that it only applies to the government.

I appreciate what the government does. I spent 17 years serving you gentlemen cigarettes and candy bars down by your members' dining lounge, so I got to know you all fairly well, at least the ones who were there during the Bill Davis era and the Stephen Lewis era. I'm hoping that you will take the spirit of Bill Davis and the spirit of Stephen Lewis and implement that. Let's not be tightwads. Let's not cut back programs so we can see how much we can save the taxpayers of Ontario, because as I said, you are all TABS—temporarily able-bodied—but one day you may have a stroke, one day you may come out of the casino and be struck by a car. One day you may be in my place and I may be in your place.

Mr Crozier: Mr Bannister—or Tom, as I prefer to call you—appreciating the fact that you have, I think, acknowledged that this is a first step and that you would like to see it enacted with some amendments and some regulations, if this bill were to pass—and we all acknowledge that if the government wants it to, it will; if the government wants it amended, it will be amended; if the government does not want it to be amended, it won't be. Having said that, point 11 of the Ontarians with Disabilities resolution—that was proposed by my colleague by Dwight Duncan and was passed unanimously—said: "The Ontarians with Disabilities Act must be more than mere window dressing. It should contribute meaningfully to the improvement of the position of persons with disabilities in Ontario." Will this act as it's proposed, unamended, do that?

Mr Bannister: Thank you, Bruce. I frankly do not believe that it will. The reason that I do not believe that it will is that I have not seen an intention of the present government to establish an agency to administer the act. I have not seen any mandatory regulations. I have seen

voluntary regulations. It is unfortunate to say, but with voluntary anything, it is very much up to the kindness and generosity of the person to whom you are speaking whether or not anything that is voluntary is passed.

Mr Martin: Thank you for coming today, Tom. Just right off the top, what happened to your little job at Queen's Park, at the store?

Mr Bannister: Oh, you all banned smoking. And as a man says, if you run a McDonald's and they ban hamburgers, you can't make a living selling mustard and relish. But as much as it was the end of an era, for me it was the beginning of an era, because I got to participate in a dream.

1320

I had a friend who went to university with me in the 1960s who worked for I believe it was the Ministry of Labour that had the Transitions program. Through the Transitions program I was able to take courses which trained me as a life skills coach. I now use that in my volunteer work with the CNIB where I lead peer support groups to help the newly blinded. Through Transitions I was able to pay for courses at Ryerson in their gerontology program. I was able to do so well when I felt I had such commitment to the money you gave me, that it had to be used wisely. I earned a place on the dean's honour roll and earned a certificate of merit for participating in continuing education, because I did it all by continuing education.

Had my health not broken, I would have hoped to have gotten a job working in nursing homes, but what I do now is friendly visiting in nursing homes. I serve on the board of the Canadian National Institute for the Blind, Essex-Kent district, where I'm vice-chair and in charge of advocacy. I joined the Leamington Lions; I'm involved that way. My wife, who is also disabled, is secretary of WECAN. She too is very involved in the community, in helping at the centre for community living. Our church pastor, if I may be so bold, has asked us to do the church services for the Sun Parlour Home when our particular church comes up. I hope you won't feel that I wasted the investment you made in me, because I dearly love to give back to my community.

The Chair: We've run out of time. On behalf of the committee, thank you very much for your presentation this afternoon.

SURANDRA BAGGA

The Chair: Our next presentation is from Surandra Bagga. I would ask the presenter to please come forward and state your name for the record. On behalf of the committee, welcome. You have 15 minutes for your presentation this afternoon.

Mr Surandra Bagga: My name is Surandra Bagga. Ladies and gentlemen, brothers and sisters, I sit here as an individual, although I come here wearing many hats, but maybe no hat today. I'm one of the parents of a disabled son. I have a total of three sons. I'm an architect.

I'm a member of various committees related to disability issues.

About four days ago, I had four thoughts: whether I should come here as an individual, with ODA, another group or not at all. However, when WACDI honoured me with the Sheila French Award last week and Ms Teason called me with a reminder of today's meeting, I decided that I must come. I owe it to the community to at least say a few words here.

I must congratulate the authorities that steps are finally being taken to establish the ODA. My sincere hope, however, is that whatever is written in the act will lead Ontario to be the best place in the world, providing accessibility to people requiring the same in each aspect of their lives.

This act is as strong as the action team behind it; otherwise the words in the act are majestic words with no real meaning. I also trust and hope that this act is not an assembly of all the existing provisions for people with disabilities in various acts like the Human Rights Code, the building code and so on, but a step to bring close to a full barrier-free place and community for each member of society.

I further urge that sufficient funds with a schedule of dates of completion for various provisions to overcome disabilities are provided in the act. This will make resources fully utilized by each member to help society in each part of Ontario.

My notes are included and I have given them to the secretary. What I have done here is read the form of the disabilities act and put comments for each sentence, clause or paragraph. It apparently needs much more analysis, involvement, thought process and action which hopefully will be available as the time moves on. From here, I will probably go over my comments. I have tried to bold some of the important points during my writing of the notes. As I said, I did it in the last couple of days. I think the second page of the thing should be the first page, where the word "Act" is written on top there.

I have referred to items in the act. I think the very first item is where the act indicates that it is to "improve." The word "improve" seems OK to me as long as the word has some clear, identifiable and goal-specific meaning. "Improve" is a very subjective term. To some the status quo may mean that we are better or we have improved compared to 20 years ago or compared to other countries. Then I refer to the complementary amendments.

In items 23 to 31, I think it refers to various acts. I was a little bit concerned as to whether these are the only acts which need amendments or if there are more. I would like somebody to look at that, from the earliest to the latest, and indicate whether each one is affected or not affected. The term "support" needs to be obtained by provision in all facets of life where disabilities have put them on an unequal footing. It needs to be ascertained that that commitment in ODA is carried out as it says.

The next item is the preamble in the written portion of the act. In paragraph 3 it establishes the commitment of Ontario. I mean to say here that it should be a proactive

role to prevent any upcoming possibilities rather than only reacting to the problems.

In the second portion of paragraph 3, it says that every person and every element of Ontario is responsible to achieve the goals. I want to bring to your attention that some people, although they want to be responsible, will need assistance to be responsible, whether it be in financial, human or social terms, to fulfill their responsibilities.

I'm now going to the item under paragraph 7 which refers to the building code. In many places it says that the building code will be complied with. I think in much of the building code only minimum items are referred to. For example, in a building the code says that as a minimum one entrance should be accessible. Even if you have 10 entrances to the building, all they want is one entrance to be accessible. Or if you have a three-level restaurant, all you have to do is go to one level and give a washroom, and it complies with the code. That means a person can't go to the second or third level, has to stay close to a washroom, sit in a chair and hopefully get served there.

1330

In paragraph 9, where it refers to the Education Act, I don't know how good or bad it is, but I know one of my friends has a teenager who has a hearing disability and a little bit of a speech disability. He could not get the course he wanted to have because the school said he's not capable to do it, and I know personally that he's very intelligent, a genius person.

With the Workplace Safety and Insurance Act, I personally have had very positive experiences. They sent me two candidates and they helped them a lot so they could be in the field where they were working with me. So I have a good experience there.

In paragraph 14—I wish I could be reading, but probably I'll be out of time—the word used is that it is "desirable." That word should be changed. Rather than being desirable, it should be "necessary" or "mandatory."

Interpretation: It again has the word "improve." The idea is to improve the quality of life. I think it should say it should "provide a good quality of life for people with disabilities."

Going to item 2 of the duties of government, it refers that it will comply with the Building Code Act, 1992, if I remember correctly. I just want to bring to your attention that we are in the year 2001, and it is going to comply with 1992. We may be behind on that. The code itself is already behind. It does not comply with everything and it indicates that it will put a wide level of accessibility to the Building Code Act, 1992.

In reference to the different requirements, the terminology used is "may" or "different times" or "different buildings." I think they have to be a little more specific, whether you do it by act or by regulation.

"Duty to comply": The terminology used is "significantly renovates." These words should be removed and the words should be changed to "mandated to be made accessible."

I guess my presentation is probably much more boring than Mr Tom Bannister's. He was much more lively, but what I did was I went clause by clause and gave my comments on that. If you don't have the thing in front of you, it's probably a little bit too technical.

Under the term "new leases," if the government establishes new leases, it says they will "have regard to the extent" for the needs of the disabled people. I think "have regard" is a very unknown or unclear term. It has to say that it will "have full compliance to the needs of" rather than "have regard to the extent."

The term "Not regulations" is not clear to me.

In the item "Government goods and services" it says it will be depending on "technical feasibility." I think it has to be much more specific. Feasibility needs to be more specific rather than saying that it will depend on the technical feasibility.

We'll go to the third page. Over here I'm saying that all of these sentences of the act should have more teeth when you're dealing with employment and employers and the people who are supervisors. It should be made completely clear that they have to follow these requirements and there could be penalties if they did not follow them. It should not be too loose.

Then I'm going to this item of "Ministry accessibility plans." It seems good and neat, but it needs specific times, to be more specific. I remember that Ontario's Fire Marshals Act had requirements that the building had to be retrofitted for fire safety, and they had some time requirements for that.

"Accessibility advisory committees": I think, as Tom was indicating, it is very important that these people be provided with some stipend and transportation, so that they can be encouraged and have it made easy for them to participate in meetings like this, or any other items of those kinds.

Again, I refer here and there to terms like "address" and so on. It should not only be addressed but be made to happen.

I'm just reading the highlighted points here. I would like to go to item 22, where it talks about regulations. I'm saying that they should be carefully drafted where exemption is provided to any exempted from participation and compliance with ODA. It talks about "a significant renovation." Again, it's a very subjective term. To my thinking, if anywhere is renovated, even 5% to 10% of the areas, that should be considered significant and it should comply with the requirements. As a matter of fact, all the existing buildings should be mandated to comply with the act.

In the Election Act it seems to indicate, unless I read it wrong, that there will be a report prepared—this is item 23—three months after the polling day. I would have thought that they should review the polling station prior to the polling date and accessibility be provided before that—unless, as I said, these legal terms may not be clear to me.

Item 25 refers to the fines, from \$300 to \$5,000. To be fair to people, I think that's a little too high. It probably should come closer to \$2,000 or something like that.

I have a lot of other items which I've listed but did not read. I think I may be on time or not on time. That's about all for now.

The Chair: Thank you very much. You've basically used all your time, but I'll allow for a quick question from each caucus and I'll start with the official opposition.

Mr Parsons: As an engineer, I think I have some of the same problem-solving approaches as architects do. I'm sensing as I read this—and I guess I'm going to ask for your comment—that as an architect I think it's fair to say you strongly believe that you do the design before you actually start to construct the building. As I read all your suggested amendments, I am sensing from you that the building is a long way from designed at this stage.

Mr Bagga: I would say I completely agree with that.

Mr Martin: I just wanted to thank you for this wonderful term here: "majestic words with no real meaning." We'll remember that as we move forward. You obviously are concerned that we have a lot of fine language, terms that were referenced by other presenters, like Mr Bannister just a few minutes ago, where it speaks of "where feasible," "have regard to," "may" and those kinds of things. You're suggesting if that continues to be the axiom, we in fact probably won't get much done. Would that be correct?

Mr Bagga: As I said, they are only words, and you have to have an action team behind them. The action team should have the clear goal to meet the needs of the disability. If the action team is good, these words are good. If the action team is not there, it has no meaning.

1340

Mr Hardeman: Thank you very much for the presentation. I noticed in your presentation—and a number of other groups spoke to it today too—about the relationship between other acts and the ODA and to make sure that this act doesn't overtake what is already in place. I think there were some who suggested this morning that there was greater protection for the disabled in the Human Rights Code than there was in the ODA. I just wanted to reaffirm that the act specifically states that the Human Rights Code is in fact supreme over the ODA, so there's no opportunity for this one to make it less restrictive or less helpful in any of the other acts.

I just wanted to quickly ask about the duty to comply. "All existing buildings need to be mandated to be made accessible." Is it your suggestion that the act should make them, at a certain point in time, all comply, or is that meant to say that as buildings are renovated they must all be done?

Mr Bagga: If I had the chance I would like to have all of them be mandated to become accessible whether they are renovated or not renovated, because if a building doesn't get renovated for 100 years, are we going to keep it inaccessible? I think it should be mandated. The way I think the Ontario Fire Marshals Act did that was that they said "all apartment buildings" and so on "have to be retrofitted" to their requirements. I think that kind of requirement should be established, that in the next four

years or three years all the buildings have to be accessible.

In terms of the acts—as I said, I did this in the last two days; I read it quickly—I'm saying that you have listed about eight or 10 acts here. I'm saying that we should go from the beginning to the end, list all the acts and say that this is applicable or not applicable, that this will be changed to provide the needs of the accessibility. In addition, I do not care whether it's the human rights act or the Ontario disability act. The Ontario disability act should not reduce any of the existing provisions of any other act. That was my meaning.

The Chair: We've run out of time. On behalf of the committee, thank you very much for your presentation this afternoon.

Mr Bagga: Thanks for having me. Goodbye.

WINDSOR ASSOCIATION OF THE DEAF

The Chair: Our next presentation is from the Windsor Association of the Deaf. I would ask the presenter to please come forward and state your name for the record. On behalf of the committee, welcome. You have 20 minutes for your presentation this afternoon.

Mr Beau Cockburn: Hello. My name is Beau Cockburn and I'm the recently elected president of the Windsor Association of the Deaf. So if you'll just please excuse me, I'm a bit nervous today.

I recently received a copy of Bill 125 and had a read-through. I'm very happy that this has started, something has started and we have something on paper, but I don't believe it's strong enough, especially the voluntary portion of it. I broke it down a little bit into some categories.

I think the biggest concern in the deaf community that I represent is the interpreting issue. We need legislation to break down the barriers so that we have the right to ask for interpreter services. But businesses out there are not accepting of the fact that they need to provide interpreter services. I should be an Internet network engineer at this point in my life and I'm not because the private school that I needed to go to would not allow having an interpreter in the classroom. So here I am. I think that I need your help in order that the legislation be set up to accommodate this. Hospitals too: you go to the hospital for service and you need an interpreter. They say, "Your sister's here with you. Won't that do? Won't she be able to help communicate?" I don't want my sister. I want a professional interpreter, a qualified interpreter; and I say "qualified," not just any interpreter.

Here in Windsor we do not have anywhere near enough interpreters. It's a very big concern for us. We need to have appropriate education so that we end up with more qualified interpreters that we can access.

Also, take a look at this room for example. How would I know while I sit here if there were to be a fire alarm? I don't see any flashing lights to indicate that there's a fire alarm. On a daily basis, deaf people are going out into the community and to places of employment where they are at risk. They are there doing their

job; suddenly they look up, everybody's disappeared and they don't know why. We're talking about a risk factor that could cause death.

If Bill 125 is passed, will this government enforce it? I don't want it to be quickly passed and quickly forgotten, that it's just something on paper—sort of the trophy on the shelf—instead of something that actually comes out of this so that there is action.

The ODA needs more specifics, as many of the presenters before me have mentioned, even including the building code. Each category of disability, whether it be visually impaired, physical, mental, deaf and hard of hearing—they need to have specifics outlined for all disability groups as far as a building code goes. It also needs to include the private sector. They are the ones who present us with the most barriers in being successful in our futures. If we don't have an interpreter, if a private business or school won't provide an interpreter, what is our future going to look like? I'm just envisioning a job interview with no interpreter. How could I get that job?

The bill also addresses guide dogs for the blind. I want some more specific information, I guess actually an expansion. When we speak to guide dogs, I have a hearing-ear dog. This dog is necessary for me to indicate that there's someone at the door or that the phone is ringing, but there are buildings who won't allow me in with my hearing-ear dog because it's not a guide dog; so probably some kind of rewording there so that any kind of a dog that acts as a guide for a disabled person for whatever reason should be allowed into whatever building for the purposes of accessibility.

My hope is that the ODA bill will be successful with amendments with more specifics. That's, I think, all I have to say for today.

The Chair: Thank you very much. We have approximately three minutes per caucus and I'll start with Mr Martin.

Mr Martin: Thank you very much for coming today. You certainly raise, I think, some important issues. I just want to focus on the comment you made at the beginning. You had a read-through of the bill, which indicates to me that you really haven't had the time to actually go through it in any detail so that you might understand how it will ultimately apply to you. Out of that I'm reading that—do you feel that we need more time to consider this bill? Would an appropriate message to the government be, let's take that time, let's not be in a hurry, let's wait and use the months of January, February and March before the House comes back in the spring to make sure we have this right before we put it in place?

Mr Cockburn: Yes, I do agree. I basically had two days' notice to come here and a quick read-through was definitely the way I had to go, but more time—more time for me to interact with my consumers, my deaf community, to really talk to people about what the real issues are in order for me to have been able to do a better job at this, and more time for you to be able to make the amendments that are necessary before passing the bill.

Mr Martin: How much consultation did you do with your community before coming here today, being as you're the president, on this bill?

Mr Cockburn: Not very much, because the time was so limited it didn't permit for much. I would have liked to have brought people together and talked about things more in depth in order that I could have brought this to the committee. I'm sure I've missed a lot of points and I sort of feel this overwhelming responsibility that this will now go back and get passed without all those pieces I felt I needed to bring from my community, and then it won't be an effective bill.

1350

Mr DeFaria: Thank you, Mr Cockburn, for your excellent presentation. I just want to mention to you the fact that from the presentations that we have had it seems that different disabled groups have different concerns and different problems that have to be addressed by the legislation. Would you agree that this process of having advisory committees that will have input into the regulations is the right process to make sure that all different groups are able to have input into the regulations that will be part of this bill?

Mr Cockburn: I believe, yes, that all disability organizations need to be involved in this work together in order that we have a successful piece of legislation that breaks down the barriers.

Mr Spina: Welcome, Mr Cockburn. I understand and appreciate that it was difficult perhaps to do some consultation within the time frame. However, I can assure you that the minister will be consulting with the various groups over the winter to ensure that all of the stakeholders, the various groups who have a distinct interest in making this bill work, will have the opportunity to participate and have further input to define the definitions of "disabled," the time frames for implementation, and

also to address many of the comments that have been brought forward during these hearings as well.

Just as an aside, with response to your hearing-ear dog, there is a specific clause in the bill which expands the context of the Human Rights Code to include all kinds of service animals so that they will be accepted in society for people like yourself.

Thank you for your input today.

Mr Cockburn: No problem.

Mr Parsons: It has struck us as terribly ironic that the group that has the greatest challenge to communicate has been given the least opportunity to do that communication with this bill. Nevertheless, though I appreciated your presentation, what I heard you ask for was not special privileges, not something unique for you or for your community. You've asked for the right to a job; you've asked for the right to medical care; you've asked for the right to know if the building you're in is on fire—simple as that.

The bill, as it stands—there can be all the consultation you want, but once it's passed, that is the bill. Does this bill give you what you believe are equal rights to every other citizen in Ontario?

Mr Cockburn: I feel I need to say that I don't know that I'm qualified enough to respond to that, but I'd say we'd be on shaky ground. Well, let's say, we've got a bit of Swiss cheese here and I'd really like to see some of the holes filled up.

The Chair: On behalf of the committee, thank you very much for your presentation this afternoon.

Before we adjourn, as this is our last presentation, I would like to remind the members that cabs will be available at 2:45 at the main door and this committee will meet again tomorrow at 9 am in room 151 at Queen's Park. This committee is now adjourned.

The committee adjourned at 1355.

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**Legislative Assembly
of Ontario**

Second Session, 37th Parliament

**Assemblée législative
de l'Ontario**

Deuxième session, 37^e législature

**Official Report
of Debates
(Hansard)**

Tuesday 4 December 2001

**Journal
des débats
(Hansard)**

Mardi 4 décembre 2001

**Standing committee on
finance and economic affairs**

**Ontarians with Disabilities
Act, 2001**

**Comité permanent des finances
et des affaires économiques**

**Loi de 2001 sur les personnes
handicapées de l'Ontario**

Chair: Marcel Beaubien
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LEGISLATIVE ASSEMBLY OF ONTARIO

STANDING COMMITTEE ON
FINANCE AND ECONOMIC AFFAIRS

Tuesday 4 December 2001

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

COMITÉ PERMANENT DES FINANCES
ET DES AFFAIRES ÉCONOMIQUES

Mardi 4 décembre 2001

*The committee met at 0904 in room 151.*ONTARIANS WITH DISABILITIES
ACT, 2001LOI DE 2001 SUR LES PERSONNES
HANDICAPÉES DE L'ONTARIO

Consideration of Bill 125, An Act to improve the identification, removal and prevention of barriers faced by persons with disabilities and to make related amendments to other Acts / Projet de loi 125, Loi visant à améliorer le repérage, l'élimination et la prévention des obstacles auxquels font face les personnes handicapées et apportant des modifications connexes à d'autres lois.

The Chair (Mr Marcel Beaubien): If I can get your attention, I'd like to bring the standing committee on finance and economic affairs to order. There are a couple of items that I would like to point out for the record. Copies of the bill are available in Braille. There are audiotapes, diskettes or disks and large print copies. The bill is also available in French. They are located at the back of the room.

This is the third day of the hearings. Tomorrow we will be meeting again in Toronto. On Thursday we will be in Thunder Bay and on Friday, in Sudbury.

GREATER TORONTO HOTEL
ASSOCIATION

The Chair: I would ask our first presenter this morning, the Greater Toronto Hotel Association, to please come forward. Please state your name for the record. On behalf of the committee, welcome. You have 20 minutes for your presentation this morning.

Mr Rod Seiling: Good morning, Mr Chair. My name is Rod Seiling, and I am president of the Greater Toronto Hotel Association. I want to thank you for the opportunity to appear before you and your committee today and for allowing me the time to speak to you about Bill 125, the Ontarians with Disabilities Act.

The Greater Toronto Hotel Association is the voice of Toronto's hotel industry. It represents about 135 hotels with over 33,000 guest rooms and more than 30,000 employees. We were founded in 1925, and I am not going to bore you with the rest of who we are. You can read just as well as I can.

From the outset I want to assure you that the GTHA and its members have provided and continue to provide quality service to persons with disabilities. We do it not just because it is the right thing to do but also because we believe it is good business. Our members recognize that accessibility as it relates to accommodations is a pre-requisite to a healthy tourism industry. Our destination marketing organization, Tourism Toronto, with the unanimous concurrence of our members, has a stated objective of making Toronto the destination of choice for persons with disabilities.

There are more than 100 million disabled persons in the United States, Europe and Canada, Toronto's prime tourism markets. Approximately 25% of the disabled population regularly travel for either business or leisure. A recent Royal Bank of Canada study pegged the potential spending power of Canadians with disabilities at \$25 billion.

Americans with disabilities who will visit Canada will spend seven times that amount, or \$175 billion. That is \$200 billion worth of spending power and, I would suggest, it is a very powerful incentive.

It is estimated that there are approximately 1.5 million Ontarians with disabilities. In addition, seniors, many of whom have or will soon require similar service needs, form an already large and growing travel market. The GTHA's members recognize the inherent value of these two large demographic groups. These travellers expect, and are entitled to receive, services appropriate to their need.

The GTHA supports the provisions contained in Bill 125 as they relate to the private sector. We are confident they can and will work. In fact, we would suggest that we are proof that the private sector can and will do the right thing.

The GTHA has been working with the Ministry of Citizenship for some time in this very important area. The work has consisted of both participating in its on-going consultations and as a partner in the development of programs to help improve the quality of service we provide to all our guests. I might add that we have worked with various disabled groups to develop these programs so as to ensure we are delivering what they both expect and deserve.

I show you this binder here. I'm going to talk about it next. Guest Services that Work For Everyone is a sensitivity training program. It's something that I and our

association are very proud of. It is the first step in our Enabling Change initiative. This program is designed to raise the awareness of the needs of persons with disabilities within our industry. The goal is to make all employees comfortable in helping guests with visible and invisible disabilities. We see it becoming ingrained within the corporate culture of our hotels as they integrate it into their ongoing training programs.

The second phase of our Enabling Change project, again working in partnership with the Ministry of Citizenship, is the hospitality checklist. The GTHA and its members recognize that accommodation accessibility goes hand in hand with service in order to create an accessible hospitality-tourism industry.

Our industry spends millions of dollars annually on renovations. To the dismay of many hoteliers, despite their best intentions, these renovations do not guarantee accessibility. Currently there are no standards on accessibility for hotels in the province, with information scattered in many areas. I want to point out that many hotels are already accessible. Nevertheless, they continue to upgrade their services and facilities in order to provide an even better product.

The objectives of this stage of the project are: (1) to provide the industry with a self-assessment tool to evaluate the accessibility of a property and to identify potential changes which will remedy barriers in order to increase accessibility for persons with disabilities to hotel properties in Toronto and, by extension, across Ontario; (2) to facilitate accessibility by providing materials with clear, specific and easy to implement remedies and examples; and (3) to provide information regarding cost and acquisition of products necessary to create accessible premises.

The benefits of this program, I must point out, will not just accrue to the hotel industry as the modular scope of the initiative will allow many industries to utilize it. This means, for example, that restaurants can utilize the food and beverage module. Health clubs, laundries etc will all be able to utilize the respective module for their business.

0910

From the hotel perspective, we see a number of benefits. It will enable hoteliers to be better able to respond to accessibility problems on their properties. It will provide the tools and resources to hoteliers in order to create more accessible facilities and better serve guests with a wide range of disabilities. Persons with disabilities and seniors will benefit by experiencing fewer barriers to access accommodation facilities. The industry will benefit economically, as it will experience higher demand from the persons with disabilities and seniors' market.

Retrofit is a very costly undertaking. We firmly believe that this method produces a win-win situation for everyone. There is a business case to make for sectors to become more accessible and, based on what we have witnessed to date with our members, they will.

We fully expect to be setting targets and levels of accessibility. Stage 2 of our Enabling Change project will provide us with the tools we require. Hotels will be able

to build into their capital improvement projects the changes that are necessary. We have already made the internal changes, from an association standpoint, as a result of the introduction of Bill 125. Accessibility, which already was a priority issue, has been moved to our operations committee, where it will now be actioned as soon as this legislation receives third and final reading. This committee has already met to discuss the processes our industry will undertake to implement Bill 125. We see it as an opportunity to maximize the returns for our industry, as our industry is already implementing it.

In conclusion, I would say that we will not only talk the talk, but we will walk that talk.

The Chair: Thanks very much. We have approximately three minutes per caucus. I'll start with the government side.

Mr Joseph Spina (Brampton Centre): Thank you, Mr Seiling. It's good to see you again. It was pleasant to hear the comments and to hear about the initiatives that have been taken by the accommodation industry. I was happy to hear that this kind of legislation would really set a standard. Did I understand that correctly?

Mr Seiling: As we read the legislation, what we are preparing to action is that we will work our way through stage 2 of the Enabling Change project. We will meet, and we will start to set levels of accessibility. We will gradually raise the bar. We'll work our way through it and allow hotels to build on their capital improvement program. As I said earlier, retrofit is a very costly enterprise. But even more important, to the dismay of many hoteliers, is that they try to do the right thing and find out after the fact that they haven't, because the information wasn't available, the supplies weren't available, the standards weren't there. We'll now be able to do that: set the standards and raise the bar as we work through the project.

Mr Spina: One of the things we've been faced with from many of the proponents and constructive critics of this bill—because I don't know that there's anybody who's really opposed to it—was the phase-in time or the time frame for implementation, and whether that should be in the bill.

With regard to your program that you talk about, the Enabling Change project, do you have any time frames over the next two years, five years? Is there some kind of a time frame or guideline that the industry is trying to work toward?

Mr Seiling: Our committee has already met. My committee chair, a hotel general manager representing one of the larger hotel chains across the province, speaks of being able to have some standards in place by the second year.

What we see as most advantageous out of this bill is not taking an American disabilities act approach, where there was a large mandate and countless millions of dollars and resources were wasted on legislation—not only legislation, but litigation. We see it as an opportunity. We believe the business case is there, and we believe we're living proof, because our members want to

do it. We can't be the destination of choice for persons with disabilities if we can't provide the service, if we can't deliver. So we intend to be there. We believe, and have from day one, that there is a business case. While you can't document it, because you can't take stats in this area, the numbers I quoted are powerful incentives to want to do something. If we can capture a fair share of that market, there's a huge return for us to be there. It's a very competitive market and one that we certainly want to grab our fair share of. We believe we can do that, but the only way we can do it is by implementing and actioning.

The Chair: Now to the official opposition.

Mr Ernie Parsons (Prince Edward-Hastings): My first question is frivolous. Did you play hockey?

Mr Seiling: I stand accused.

Mr Parsons: You probably don't remember when I played pro hockey.

Mr Spina: But you remember when he played.

Mr Parsons: Yes, I do. I applaud you for this action, both for the moral and for the business. It's a great action. Where I'm curious is, your group is the only group that has come forward in Ontario to voluntarily do it. In fact, it's not the hotel industry of all of Ontario; it's the industry of Toronto. It's a great thing. What caused your group to see the light and do it? Do you have any sense of why the rest of Ontario is not voluntarily following it?

Mr Seiling: Very simply, we've said from day one that the best way to make progress is to educate, not legislate, and education is part of making the business case. I happened to witness yesterday, at the launch of the ministry's new Web site, which I think is tremendous, that in there Bill Wilkerson has published a document talking about the business case. Quite frankly, part of it is for people to learn what business opportunities are there. The private sector always reacts most positively to the opportunity to earn a return on their investment. We believe there is an opportunity to do that and we're quite confident that we can, at the end of the day, demonstrate that it isn't just the right thing to do, but it makes good business sense to do it, and that's why we're doing it.

In terms of across the province, I should point out that we work with the provincial hotel association. They're following in our footsteps in these projects. They are starting to move these across the province. They are starting the training. It's a train-the-trainer program. This has been basically through our hotels across the GTA now. It's starting to roll out across the province, and they will be participating in stage 2 of the Enabling Change project as well. I believe in this very much. We'll be speaking, and have spoken already, to other groups because we believe it's the right way to go. To coin a phrase, it's easier to catch flies with molasses than with vinegar. We think we can show people that if you do the right thing, you'll profit by it as well as feeling very good about it.

Mr Parsons: You're saying with hotel rooms there's a payback for people to come. The challenge I'm hearing

from the disability community is, ironically, people in Toronto will be able to get into a hotel room but not into an apartment. Apartments are running at less than 1% vacancy, so there isn't a financial incentive for apartments to be made accessible, as opposed to your industry, which has a lower vacancy rate and is astute enough to say, "We can increase the usage." What would you say should be the proposal to apartment owners to make their buildings accessible?

Mr Seiling: First of all, I wish we were running at a 1% vacancy rate. I'm not qualified to speak on that. All I can talk about is our industry and reiterate that I still believe there are ways and means, whether it's through incentive or whatever; that we have watched and we have involved not only people from the disabled community in coming to where we are, but we've also involved some of our members who've had experience in the development of the ADA and who found the negatives. We've learned from that and tried to incorporate that so that what available resources there are, are put to a productive use rather than a litigious use, where no one wins except the lawyers.

We believe very strongly that over the coming years we will raise—because we're going to set those target levels. My committee chair is already saying that in two years he wants to have the first level set. What we need to do in advance is to get out there and give people the tools so they can know what's coming and build the changes in those capital programs, so they don't wake up tomorrow and find they have this huge bill to pay, so they were building the capital. People want to do the right thing, and it's much easier to get owners to understand why they have to commit those dollars if they see that there's a return for them in the long term.

0920

Mr Tony Martin (Sault Ste Marie): Thank you for coming this morning. I appreciate the commitment you're making on behalf of your organization. I have just a couple of questions. At the bottom of the first page, you say that you support the provisions contained in Bill 125 as they relate to the private sector. Many who have come before us have said that in fact there's nothing in the bill that relates to the private sector; there's a lot of moral suasion and wishing in the bill that relates to the private sector.

First of all, how much of what you're doing in the hotel industry is driven by the Americans with Disabilities Act because you're part of a chain that has headquarters in the US?

Mr Seiling: First of all, we're not part of a chain; we are a Canadian, Ontario organization. We have no relationship, business or otherwise—

Mr Martin: You're a member—

Mr Seiling: I have some members who are. Many of my hotels are already compliant, but it's not germane to the issue. I have a lot of Canadian members who have no relationship. This is unanimous support for doing the right thing.

In terms of the reason to comply, it's our understanding that there are within the bill provisions for reviewing committees to look at it, and we believe those groups which do not make some progress run the risk of having these groups go back to the government to ask for certain levels to be set arbitrarily. Of course, the ultimate is that this bill is up for review in five years. My suggestion would be that those groups which don't do the right thing run the risk of being mandated or legislated five years hence. I would think that persons who think sanely and rationally will want to ensure that they don't get that heavy hand thrown at them five years hence, that they will have moved along in a fairly good way.

As I said earlier, we've seen, and have no reason to doubt, that people do want to do the right thing. I said earlier I believe very strongly that when people are presented with the information and the facts that show that there is a business case to be made, it's much easier to get people to invest.

Mr Martin: I appreciate as well the comment that it makes good business sense to be accessible to the disabled, and indeed it does. The other side of the equation for me is, how much effort is being made in your organization? Do you have any statistics to indicate employment of disabled people? What are you doing to your workplace, because it is a significant workplace, for those who are disabled so that they can come in and work for your members?

Mr Seiling: We're very proactive. Up until this year, we have run a program I'm very proud of called HELP, the hotel employment leadership program. It dealt with two specific areas; one was street youth and the other was persons with disabilities. We ran it in partnership with the ministry and with the city of Toronto. We were able to take individuals off the street, and also people who had been left behind because they had a disability. It ran in partnership with Goodwill and the Ontario Tourism Education Council. Goodwill gave them life skills, OTEC gave them new specific skills and we guaranteed employment for them in the industry for six months.

Unfortunately, due to the events of 9/11, we've had to cancel that program this year because we've had massive layoffs. With the unionization of the industry and the layoffs, we couldn't guarantee those jobs. But I'm hopeful that next year, if things have turned around, we can reinstitute that program. We're very proactive. As an industry that up until 9/11 had a severe shortage of labour, we've now come to have an over supply. We looked at that as being a great untapped tool for quality employees.

The Chair: I have to bring the debate to an end. On behalf of the committee, thank you very much for your presentation this morning.

TOURISM TORONTO

The Chair: Our next presentation this morning is from Tourism Toronto. I would ask the presenter to please come forward and state your name for the record.

On behalf of the committee, welcome. You have 20 minutes for your presentation this morning.

Ms Catherine Smart: Thank you, Mr Chairman. My name is Catherine Smart. I am the director of product innovation with Tourism Toronto, Toronto's convention and visitors' association. It is a privilege to be invited here to speak today on behalf of the tourism industry in Toronto with regard to Bill 125, the Ontarians with Disabilities Act.

First, let me begin by congratulating both the ODA Committee as well as the ministry for finally reaching a benchmark that will only become stronger as time goes on. Bill 125 is good news. It represents a beginning for many who have fought long and hard for equal access. It also represents guidance and support for organizations and businesses that want to do the right thing, but may not currently know how.

Tourism Toronto is the official destination, sales and marketing arm of the city of Toronto. Tourism Toronto focuses on promoting and selling the city as a destination for tourists, convention delegates and business travellers. Officially operating as a not-for-profit agency, Tourism Toronto has more than 850 members in the greater Toronto area and is a partnership of the public and private sectors. In other words, our job is bringing tourism to Toronto.

Prior to joining Tourism Toronto one year ago, I spent the majority of my career developing programs and providing services for persons with a disability. Most recently I spent close to 14 years working with the Ontario March of Dimes as the manager of recreation and integration services. It was during that time I was presented with the opportunity to assist with the development of the Guest Services that Work for Everyone training package, which made me realize both the scope and potential of the tourism industry in relation to providing equal access to persons with a disability.

My primary role as director of product innovation is to promote a barrier-free city, both physically as well as attitudinally. Not only was this position brand new to Tourism Toronto one year ago, but it was new to all convention and visitors' associations across Canada. This is an important point to note in that this role reflects both the commitment as well as the vision that the tourism industry has embraced to further adopt accessibility as part of their mandate.

SATH, which is the Society for Accessible Travel and Hospitality based out of New York City, estimates that 39 million Americans have a disability and the capacity to travel. The average income ranges from \$19,000 to \$38,000 US depending on education. Since the inception of the ADA—the Americans with Disabilities Act—American visitors into Ontario with a certain expectation with regard to access.

As Mr Seiling noted, over 15% of Canadians have a disability, and by the year 2010, 25% of the population will be over 65, otherwise known as the mature traveller. These statistics clearly indicate the scope and potential business that is and will be available to serve persons with a disability and seniors in the years to come.

I would like to share with you some of the successes the Tourism Toronto accessibility program has experienced over this past year.

The development and initial presentation of the Tourism Toronto Jeff Adams Access Award of Excellence: this prestigious award is presented once a year to a member who has demonstrated a sound commitment to providing increased access. The first recipient of this award was the Toronto Hilton managed by Marilyn Soper.

The development and distribution of the Accessible Toronto brochure: one of the many things Tourism Toronto is committed to is providing up-to-date, accurate information to tourists visiting this city. The Accessible Toronto brochure lists accessible hotels, restaurants, tours, transportation and attractions. This brochure is updated regularly and is also available on the Tourism Toronto Web site.

There was the development of the product innovation accessibility committee, which is comprised of persons representing many sectors of the disability community. In addition, members also include individuals representing the tourism industry as well as consumers who are committed to promoting an accessible city.

We're a member of the Canadian Standards Association with the barrier-free design and customer service for persons with a disability committees. Having worked in the disability field for many years, the subject matter is quite familiar. However, what is particularly important is to have a person representing the tourism sector, therefore bridging a potential gap.

I share a few of the past year's successes with you to demonstrate just how committed the tourism industry is to further promoting a barrier-free city.

The response thus far has been extremely positive. However, there is a lot of work yet to be done. The current resources that are in place—such as the Guest Services that Work for Everyone training package, the Paths to Equal Opportunities Web site, along with the upcoming Hospitality Checklist—clearly provide the tools required to assist the tourism industry to embrace accessibility as part of the fabric of everyday business.

Given that the current bill does not provide specific guidelines to the private sector, there is little incentive for businesses to thoroughly embrace the act. The fact that amendments are available is a positive step that could provide opportunities for the government to consider programs to further encourage the private sector to adopt barrier-free access as part of their mission. These incentive programs could include financial support for pilot projects to demonstrate success, or possibly a province-wide recognition program.

As previously mentioned, Tourism Toronto is committed to attracting tourism to Toronto. Furthermore, Tourism Toronto is committed to attracting persons with a disability, their families and friends to enjoy this fantastic city. What is important for our organization and members is that we can promote our city to the disabled community with confidence.

The announcement of Bill 125 is good news. Although not perfect, this bill will pave the way for greater things to come for persons with a disability, both living in and visiting Toronto and the rest of Ontario.

0930

The Chair: We have three minutes per caucus. We will start with the official opposition.

Mr Parsons: I applaud you for it. I note that in the second paragraph you say "reaching a benchmark that will only become stronger as time goes on." I couldn't agree more. Every presenter to this stage has said there's nothing in the bill, so anything, of course, will be stronger.

I note on your last page "does not provide specific guidelines to the private sector." The comments we have heard to this time from the presenters have been, not that they can't get a hotel room, not that they can't get in as tourists, but that they can't get in the grocery store or they can't get to the doctor. There's no one to interpret for them when they're at a doctor's or at a hospital. They can't get a place to live.

You're actually the first group that's come forward—it just strikes me as ironic that what you're doing is great for the people from the US who are used to the Americans with Disabilities Act. Clearly it must have worked for them because they're used to it and they've found it everywhere. But for the citizens of Ontario, the frustration is getting into the mall and getting into an apartment building.

How do you see it being made so there is an assurance that a person can have accessible accommodation or accessible doctor's care? I appreciate that your industry—and bless you for it—has made the decision to go forward on your own, but what would you suggest we do to make the rest of the private sector follow?

Ms Smart: I think we're a really good role model. I think what we're doing, and the more we do with regard to providing additional opportunities in the area of tourism for persons with a disability, will only influence others around us.

Mr Parsons: What would your reaction have been had it been mandatory that your industry be accessible?

Ms Smart: I feel it's really important to have choice and I really believe there have already been, as Mr Seiling indicated, some tremendous success stories out there, and the snowball is getting larger. I believe it's important for our province and the people in our province to recognize the need rather than being forced at this stage.

Mr Parsons: I also believe it's important that the community of the disabled have choice, that they have choice whether to stay home and choose whether to go to a doctor. They don't have that choice, and if the phasing-in takes—I'm coming on much stronger than I want to—another five years, we're in fact saying to some people, "If you can wait five years to get to a doctor, we might have something available for you." That's the frustration we're hearing out of the rest of the communities.

Mr Martin: Thanks for coming this morning. I appreciate the crossover in your own experience from the

March of Dimes to working for the private sector and the sensitivity that would bring with it.

I want to focus for a second on your third-to-last paragraph where you, I think, very frankly and honestly say that the bill doesn't provide specific guidelines, so there's little incentive, and your hope is that there are amendments that may come forward that would improve the bill. Also you speak of incentives. Would you care to elaborate on what amendments and what incentives you might be speaking of?

Ms Smart: Right. I think I mentioned actually, further down in that paragraph, a couple of examples. As I mentioned earlier, they could include financial support for pilot projects to demonstrate success or possibly a province-wide recognition program. Given that there is a lot of volunteerism with regard to this act currently, this industry may take note or may come forward with greater impact if there was an incentive program included.

Mr Martin: Do you have any suggestions as to amendments we might make that would improve the act and make business embrace it more fully?

Ms Smart: I would suggest that time frames are really important, in terms of being clear, in terms of certain benchmarks that need to be put in place and certain time frames that go along with those benchmarks, so there's a clear vision for people to follow.

Mr Martin: I asked this of Mr Seiling as well. In terms of employment in the industry, what's going on there and will this act make it more helpful to those with disabilities to get employment within your industry?

Ms Smart: I absolutely think there are all sorts of possibilities. In terms of possibilities currently, Tourism Toronto is setting the foundation with regard to encouraging further access, both physically as well as attitudinally, with current staff in the industry and with actual buildings. What will happen is that there certainly will be a spinoff.

Having worked with the Ontario March of Dimes for years, I was very much involved with the employment services program there and intend within the next year to see if we can create some possibilities and some partnerships to include tourism as a possibility for people going through that program.

Mr Ernie Hardeman (Oxford): Thank you very much for the presentation. Just for clarification, is Tourism Toronto an organization that is part of government in Toronto or is it an association of the tourist industry?

Ms Smart: We're a not-for-profit organization that's an arm of the city.

Mr Hardeman: You have no connection with the city proper, government in the city?

Ms Smart: That's right.

Mr Hardeman: As you will be aware, the act has advisory committees to advise municipalities over 10,000 on suggestions, on approaches to meet the needs of the disabled in the municipality. Could you give me some idea of how that would work within your membership? Would such a committee be helpful or do you believe your members are in a position to be able to do that for

themselves? Mr Seiling mentioned earlier that the industry itself was moving ahead, and likely moving ahead faster than an advisory committee would ask that they do. Do you see that the same with all your members?

Ms Smart: I do. We have representation from our board with regard to this particular program and the board speaks to these issues regularly. Also, as I mentioned earlier, I've developed a product innovation accessibility committee that is quite proactive with regard to speaking to various issues that relate to tourism and accessibility in the city. I'm not sure if I'm really answering your question.

Mr Hardeman: Do you believe we need another body to help the industry achieve the goals you've set? As an organization, do you do enough of that to make sure all your members are moving along at the same speed and are going to achieve the goal you've all set?

Ms Smart: I think we're actually doing a pretty good job currently. We send out regular communication. We really encourage the membership via many means of communication to get out and consider possibilities with regard to this program. We also work very closely with the Greater Toronto Hotel Association, which as you heard earlier is doing tremendous work in this area. So I feel that at this stage of the game we're in a good position.

Mr Hardeman: The other thing coming forward quite strongly is that the industry, because it's the good business thing to do, and obviously the business of the disabled well warrants making business establishments accessible to them—what is it in this act that would encourage you to go further? Obviously the industry is moving ahead with that because it's the right thing to do, but also because it's the good business thing to do. What will this act do that will make that move better or faster, or will it in fact have an impact on the industry?

Ms Smart: I think this act is an historic piece. It speaks very clearly to our province moving forward and providing opportunities for persons with disabilities. It can only reinforce what we're already doing and will continue to do. That's why this act is so important.

The Chair: With that, we've run out of time. On behalf of the committee, thank you very much for your presentation this morning.

0940

TORONTO ASSOCIATION FOR COMMUNITY LIVING

The Chair: Our next presentation is from the Toronto Association for Community Living. I would ask the presenter to please come forward. On behalf of the committee, welcome. You have 20 minutes for your presentation this morning.

Mr Fred Peters: My name is Fred Peters and I am the president of the Toronto Association for Community Living. I would like to thank you for allowing me the opportunity to address this committee on Bill 125, the proposed Ontarians with Disabilities Act.

The Toronto Association for Community Living provides supports and services to over 5,000 individuals with an intellectual disability and, as well, to their families.

We, like so many others, anxiously awaited legislation that would ensure persons with disabilities have equal opportunity to full and meaningful participation in all aspects of life in Ontario. We hoped the government would take advantage of input from the Ontarians with Disabilities Act Committee, from individuals with disabilities and from various agencies to effect groundbreaking legislation that would significantly benefit persons with a disability in this province.

Unfortunately, we were disappointed. The act, as proposed, falls far short of providing the effective protections required by the disabilities community and, in particular, those with an intellectual disability. The act does not ensure the involvement of the private sector. It defines no timelines for prevention or removal of barriers, and permits exemption in the government and public sector without rationale. It establishes an advisory committee, but gives it little opportunity to educate or to influence decisions around disability issues. The act does not define timelines for prevention or removal of barriers and provides for virtually no enforcement or penalty.

However, we feel that with appropriate amendments there is still opportunity for Bill 125 to meet the expectations of the disability community. We would suggest the following revisions:

(1) That the language in Bill 125 indicate a clear intent to effect change. The 11 principles developed by the ODA Committee and adopted by the Ontario Legislature in 1998 contained strong, definitive language such as “ensure that,” “require that,” “comply with” and “will mandate.” This language has been diluted with phrases like “shall have regard to,” “shall seek advice from,” “may establish” and “where technically feasible.”

(2) That the proposed accessibility advisory committee have a mandate that not only advises the minister, but also promotes the development and creation of opportunities for greater independence for individuals with disabilities; reviews policies and program issues on disabilities in government and the community; identifies and addresses major issues related to disability in areas such as health, education, and physical and attitudinal barriers; responds to emerging issues such as lack of housing and employment opportunities; provides advice or comment on specific matters affecting all persons with disabilities; and provides representation to external committees, government or non-governmental, on disability issues.

(3) That, if the committee is to be credible, at least half of its members be appointed by the community, including the disability community. This representation would also specifically include individuals with an intellectual disability.

(4) That the bill include the private as well as the public sector. It is unlikely that “encouraging” the private

sector will be enough to ensure that barriers are eliminated or prevented.

(5) That specific deadlines for identifying, removing and preventing barriers be stated and that effective methods of compliance and enforcement be established.

The ODA committee has developed a brief which includes a detailed set of effective amendments which have wide support from the disabilities community. We would encourage you to review these amendments and respond positively to them.

The potential for Bill 125 is there. With the suggested changes, you have an opportunity to enact legislation which allows Ontario to play a leadership role in ensuring that persons with disabilities achieve full participation in society and to fulfill the government’s commitment of “a promise made, a promise kept.” Thank you.

The Chair: Thank you very much. We have approximately three minutes per caucus. I’ll start with Mr Martin.

Mr Martin: Thank you very much for coming forward this morning and for the obvious effort that went into putting together this brief.

As you know, this is our third day. We’ve been on the road for a couple of days, and much of what you present we’ve heard from other organizations across the province. You’ve stated I think very clearly here that your hopes have not been met in terms of the bill and that it lacks in some very significant and meaningful ways. However, you’re not going so far as to say that this is a bill that is completely unredeemable. Is that correct?

Mr Fred Peters: I don’t recall having used the word “unredeemable.” It seems to me that I did make reference in my remarks to the extensive brief prepared by the ODA Committee and to the 11 principles which were adopted by the Legislature in 1998.

It seems to me that using those two documents as a reference point, suitable amendments could be made which would satisfy the intent of the brief filed by the ODA Committee as well as the 11 principles previously adopted by the Legislature.

Mr Martin: If there are no amendments made, if no suggestion that has been brought forward is accepted by the government as making an improvement to this bill, how effective will the bill that’s presently tabled be in achieving some of what you had hoped and is needed?

Mr Fred Peters: It’s difficult to forecast the impact of a bill yet to be determined. Our view would be that the bill would not move the yardsticks far enough down the field, as the 11 principles initially intended, that with the amendments proposed, we think we would have a better piece of legislation that would significantly improve the opportunities for the disabled community in Ontario.

Mr Martin: This bill is being hurried through, as I think you can probably see. It will be done, for all intents and purposes, by next Tuesday. We would have preferred to take the time in the intercession, which is the normal way we do things around here—January, February, March—to have full and comprehensive hearings and to

have the time to work together with all the groups, including those who support this, to make necessary amendments. Given the short timeline and the limited opportunity we will have on this side to support and encourage the government in terms of amendment, what would be the priority for you if change was to be made?

0950

Mr Fred Peters: I would think, in the first instance, move away from broad statements of intent to specific desired outcomes. As I mentioned, in one of the four proposed areas for amendment, the language had been moved and diluted from rather strong, in my view, actionable statements to broad statements such as "encourage the intent" and so on and so forth.

My second view would be that there should be specific outcomes which should be mandated. There should be obviously a way of measuring those and there should be some compliance and enforcement mechanism.

Mr Hardeman: Thank you very much, Mr Peters, for your presentation. Just very quickly—my colleague Mr Spina wanted to ask a question too—in number 2 of your presentation, things the advisory committee would have a mandate to do beyond what is suggested in the bill, I think about the second and third bullets, "identifies and addresses," and the other one is "responds to emerging issues": I wonder if you could tell me how you would see the ability to address, as a committee, problems that would be identified in the community. Do you address by mandating that they could force others to do it or that they would actually be in the business of doing it?

Mr Fred Peters: My sense would be that the advisory committee is that, an advisory committee, but yet, as it became aware of issues, it should bring that to the attention of the government through its mandate as an advisory committee. Advisory committees traditionally have not enjoyed any legislative authority but they have been very effective, at least in my experience, in bringing issues to the government and in some cases providing suggested remedies to the issue. So I think it would be more in the context of being able to respond to issues in a local community that in their judgment affect those Ontarians with disabilities—

Mr Hardeman: So you're inferring that it should be a very good communications system between the appointer of the advisory committees and the advice they're giving.

Mr Fred Peters: And my sense is that the advisory committee would provide, in this case, the minister with informed advice on what would be an appropriate response to an emerging issue. I think that's the context in which that comment was made.

Mr Spina: Thank you, Mr Peters. What I wanted to bring to your attention, and it's a brief question, actually, that you referred to in the third element on your fourth page, is that if the committee is to be credible, it would specifically include individuals with an intellectual disability. That falls in line I think also with the other definitions of the number of disabled people who ought to be specifically identified.

Also, with respect to Mr Martin's comment, we fully anticipate that we should have some 75 personal presen-

tations to the committee over these six days of hearings, and probably we'll have doubled that just with submissions that have been sent to us. From that, we will be making amendments, likely, to the bill.

But they make it sound as if, once the bill is passed, everything is done and that's it, which is not the case, in fact, because with any legislative bill there are regulations that are to be created afterwards to implement the bill. We just have to make sure that the clauses in the legislation allow those regulations to be created. We've been assured by the minister's office that there will be stakeholder consultation in the creation of those regulations so that items like timelines, the adoption of codes, contents of the plans and policies and criteria to identify agencies preparing some of the accessibility policies can all be laid out in the regulations. The stakeholder groups will have a further opportunity to input to the minister's office at that point. I guess I'm asking, what group would you recommend to be consulted as part of that regulatory process?

Mr Fred Peters: I think the very various groups that have come before this committee would be an ideal group of agencies and individuals from whom to solicit comment and/or participation on the drafting of appropriate regulations.

I would, though, like to respond to one point that you made in your remarks, that clearly one cannot do by regulation that which is not allowed by the act. So the act obviously provides a statutory framework which governs the drafting of regulation. It seems to me, for the sake of discussion, that if the act contains broad-based statements that, while encouraging, do not speak to outcome or result, including a timeline enforcement penalty, then by definition the regulations will be equally high-level and will probably, I would think, be more process-based around how these certain activities will take place as opposed to saying that the act allows for the imposition of a penalty for non-compliance against a mandated service. A penalty could be established by regulation. So while there's obviously a proud history in Ontario of developing regulation through a broad-based consultative approach, the content of the regulation is informed by what's in the statute. If it's essentially a process-based statute, then by definition the regulations, however broadly based in terms of consultation, will not solve the problem at least of some of the issues I have raised in the brief.

Mr Spina: Thank you. We appreciate that.

The Chair: I have to go to Mr Parsons.

Mr Parsons: Yes, you're quite correct: the regulations cannot change one bit of the bill. There is a craziness in that the consultation on the bill has been very hurried and we're hearing from people who simply weren't able to get a presentation in place, yet there may be a much longer consultation on the regulations, which can't change the bill.

You're an optimist and I admire you for that, but I guess the concern I've heard so far, and a concern I have personally, is that the government could have chosen to

follow the 11 principles and did not. The government could have chosen to incorporate the private sector and did not. They could have chosen to put funding in for this and they did not.

If in the very short time allowed the government does not allow any of the amendments or suggestions that you've included, if they do not include one of them and simply pass the bill as presented or with some very minor things, does it then help the community you work with or does it hinder, by giving the appearance to the public, "There's now a bill; what's the problem?" Is a non-amended bill a good thing or a bad thing?

Mr Fred Peters: That's a rather difficult question to answer. Clearly, the government has decided that the area requires some legislative intervention. In our view, the 11 principles adopted by the Legislature in 1998 established a conceptual framework which in our judgment should drive the drafting of the legislation.

The government has chosen a different way. My sense, to be frank, is that legislation of this type deals with rights, so any legislation that begins to reinforce or expand the rights of the disabled community I don't think in fairness can be described as a hindrance. My only view is that it is not, as it should be, to fully establish those rights in what I would define as a well-understood and integrated system of statutory provisions governing access and accessibility issues for the disabled. As I mentioned in my remarks, the bill can be improved and we have proposed areas where in our judgment, consistent with the 11 principles, amendment could be made I think without any particular danger.

The Chair: With that, we've run out of time. On behalf of the committee, thank you very much for your presentation this morning.

1000

CANADIAN NATIONAL INSTITUTE FOR THE BLIND

The Chair: Our next presentation is from the Canadian National Institute for the Blind. I would ask the presenter to please come forward and state her name for the record. On behalf of the committee, welcome. You have 20 minutes for your presentation this morning.

Dr Penny Hartin: Good morning. My name is Penny Hartin and I'm the executive director for the Ontario division of the CNIB. Don't worry, this isn't as long as it looks. It's very large print.

The Chair: You have 20 minutes.

Dr Hartin: Yes, that's right. There are only four words per page, so it should be fine. I have provided you with a copy of my document but I'll just review it with you, if I might.

As the principal service organization providing a wide range of specialized rehabilitation and support services to some 50,000 blind, visually impaired and deaf-blind Ontarians of all ages, the Canadian National Institute for the Blind would like to thank Minister Cam Jackson, Minister of Citizenship, and the government of Ontario

for the initiative you have taken to begin to remove the barriers faced by persons with disabilities in Ontario.

The introduction of the proposed Ontarians with Disabilities Act, Bill 125, is an important first step in the identification of barriers and the development of measures to remove and prevent new barriers. We feel that the bill in its present form does have a number of shortcomings. However, we also believe that an effective Ontarians with Disabilities Act, together with some of the excellent programs that are already in place, such as the assistive devices program, will position Ontario as a progressive leader in addressing access issues faced by persons with disabilities in this country. Of course, we would also want to ensure that present services and programs are maintained and enhanced as part of the process of achieving a barrier-free Ontario.

The CNIB acknowledges that some helpful measures are contained in the proposed legislation that have the potential to address many present and future issues in the identification, removal and prevention of barriers, such as the requirement for published accessibility plans, the creation of advisory councils and the commitment to ensure that all new government facilities will be accessible.

Our agency does, however, have some significant concerns that we believe need to be addressed as amendments to the legislation in order to ensure that the bill will address the needs of persons who are blind, visually impaired or deaf-blind. Some of our concerns relate to how the legislation will identify, remove and prevent barriers for our blind, visually impaired and deaf-blind consumers. We will deal with these first in our submission. We will then bring forward some general concerns about the legislation in terms of its mandate, coverage, implementation and overall effectiveness. In these cases we will offer wherever possible suggestions for changes or amendments that we believe would strengthen the bill's effectiveness.

We also wish to express our support for the ODA coalition, of which we are a member and have been an active participant. While our CNIB submission will focus primarily on our specific comments and recommendations, we share the concerns and endorse the proposed amendments that have been set out in the ODA coalition brief.

Clearly we understand that it is neither possible nor practical to present legislation that purports to remove all barriers in all sectors immediately or even in the short term. There are many factors that dictate a staged approach to implementation would be more effective. It is, however, important to ensure that these changes and amendments that are necessary to address both short- and long-term issues with the bill are incorporated into the legislation.

Some of our proposed amendments that would improve the removal of barriers for persons who are blind, visually impaired or deaf-blind: it's important to recognize that accommodations that remove barriers for persons who are blind, visually impaired or deaf-blind can vary depending on the nature and degree of visual

impairment or deaf-blindness. As a consequence, it is important to consider the differences as well as the common needs of each of these groups when implementing solutions. For example, signage needs to be both highly visible in terms of size and contrast, as well as tactile or Braille so that it can be accessed both by persons who are blind as well as those who are visually impaired.

Furthermore, the removal of barriers for persons with visual impairments is only partially addressed by the removal of physical barriers. Access to information in the delivery of goods and services is of equal importance to persons with vision impairments. Such access to information will be manifested in a variety of ways, including intervention services for persons who are deaf-blind, or the provision of materials in the alternative format of the person's choice. It is important to understand that formats required will often depend on the extent of vision and/or hearing loss.

We believe it is crucial that there is an understanding of these issues and the factors, including degree of vision loss and/or deaf-blindness, demographics, availability of technology, geography and so forth, that must be considered in accommodating the unique needs of persons who are blind, visually impaired or deaf-blind. We believe this is critical because these factors will need to be considered when plans are developed and implemented to remove barriers in buildings or in accessing goods and services. It is the position of the CNIB that the removal of barriers must include the removal of physical barriers that impede access for blind, visually impaired and deaf-blind persons, as well as the removal of barriers to access goods and services.

The following are some specific concerns and/or suggestions for changes.

In section 2, dealing with the definitions for Ontario government publications, we are concerned about the restrictions implied within the definition, that publications of a "scientific, technical, reference, research, or scholarly nature" would not be included in publications that would be available in alternative formats if requested.

It is our view that government publications that would be made available to members of the general public should also be made available to persons with vision impairments, if requested, in the format of their choice. Given what technology will now allow, virtually all documents would be technically feasible to be produced.

In section 4, government buildings, structures and facilities, we believe that "regulations" would be stronger than "guidelines" in terms of their enforceability. Also, given that the Ontario Building Code Act, 1992, is seriously lacking in its provisions for accessing the built environment for persons who are blind, visually impaired or deaf-blind, we would recommend that the new CSA standard B651—to be released in June 2002—be used as the minimum standard, as it addresses much more effectively the access issues of persons with vision impairments.

In section 4, dealing with new leases, we're concerned that government departments need only have regard to the building's accessibility when making a decision to occupy the building. We believe that compliance with the regulations, or at a minimum a plan for renovation so that the building is in compliance, is critical if new barriers are not to be created.

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In section 6, government Internet sites, the act requires that "where technically feasible," government Internet sites be made accessible. In fact, guidelines for the design of Internet sites now exist that make it technically feasible to make all Internet sites accessible. Therefore, the words "technically feasible" should be removed and it should be required that all government Internet sites be made accessible. Indeed, it's our view that this requirement would be appropriate for other sectors as well, including the private sector, since the technology now exists to do this at reasonable cost.

In section 7, government publications, we believe a specified time frame should be set for the provision of publications in alternative formats, say, 72 hours. The term "reasonable time" could have many interpretations. We are also troubled, as I mentioned before, with the qualification that materials would only be made available if "technically feasible." Since most materials are now produced on a computer, the production of alternative formats is now much easier than in the past. The expectation should be that exclusions would be based on clear criteria established in the regulations with the standard based on undue hardship.

The sections dealing with "Duties of Municipalities" and "Duties of Other Organizations, Agencies and Persons": there are no provisions in these duties to require that publications be made accessible in alternative formats and there are also no provisions that require accessibility of Internet sites. Both of these issues are important to the removal of barriers for persons with vision impairments and should be incorporated into the legislation.

In section 14, public transportation organizations, within the development of their accessibility plans, public transportation organizations in partnership with municipalities should be required to develop strategies to address transportation issues in non-urban centres, as lack of transportation is a very significant barrier for persons with vision impairments who live in the rural areas of the province.

In section 29, the Municipal Elections Act, while the proposed changes are helpful in ensuring that polling stations will be physically accessible and that voters will receive assistance, there is no provision to deal with the accessibility of the ballots themselves. Given that during the last municipal election persons with vision impairments were not able to vote independently and secretly due to the unavailability of accessible ballots in most municipalities, an amendment should be included that requires ballots be accessible and understandable to persons who are blind, visually impaired or deaf-blind.

This in fact is the case for both federal and provincial elections where the balloting is now accessible.

I have some general comments I'd like to make regarding provisions in the act and suggested amendments. While Bill 125 has made some important strides in its recognition of barriers that exist and in developing measures that should assist in the removal of these barriers and the prevention of future barriers, we believe the bill would be stronger and more effective with certain additional amendments.

Purpose of Bill 125: we believe the stated purpose of the bill should be the removal of all barriers for persons with disabilities in Ontario to enable full participation. While we recognize this cannot be achieved overnight, and will require long-term commitment from all sectors, we should still maintain that ultimate goal.

Applicability of the bill: while we understand it is the government's intent to make the bill applicable in all sectors over time, this is not clear in the proposed legislation. The bill would be strengthened by specifying time frames for the inclusion of the various sectors.

Accessibility plans: we believe the development of these plans is a good step in helping to identify barriers and action plans to address these. We are concerned, however, that measures are not included to ensure these plans are implemented. Amendments should be included to address implementation and enforcement.

Government power to exempt organizations: while we recognize there may be times when it will be appropriate for the government to exempt organizations if they can demonstrate undue hardship, this should be a very rare occurrence and exemptions should be time-limited. Consequently the legislation should be amended to include strict parameters regarding the rationale, process and time frame for the granting of exemptions.

Participation of persons with disabilities: the creation of provincial and municipal advisory committees is a good step in ensuring input of persons with disabilities in the process. We believe it is important that the individuals selected to serve on these committees represent groups of or for persons with disabilities, and that there be a requirement they consult with their sectors.

While the legislation states that a majority of members must be disabled persons for the provincial advisory council, this is not specified for the municipal councils, nor is there a provision for representation from the various disability sectors on these councils. We believe this broad representation is important, given the committees' potential involvement in advising on guidelines, standards, plans and so forth, and that the needs of persons with different disabilities can be diverse. We also believe the role of the provincial advisory committee needs to be clarified in terms of its scope, mandate and authority.

Prevention of new barriers: a fundamental objective of the Ontarians with Disabilities Act has been to ensure that no new barriers are created. We believe provisions in the bill need to be strengthened so that this objective may be upheld. This should include new capital projects, leases, purchase of goods and services, and exemptions

to be granted only when undue hardship can be demonstrated.

The foregoing comments and suggestions for amendments are intended to assist the government of Ontario in enacting legislation that we believe, if amended, would have the potential to make a significant difference for disabled Ontarians. Persons with disabilities have a wealth of skills, expertise and enthusiasm that they are eager to share with the government and with their fellow citizens of Ontario. By enacting strong and effective legislation, the province will be providing the impetus, the vision and the tools for Ontarians with disabilities to take their rightful place as fully participating citizens in the life of the province.

The Chair: We have approximately one minute per caucus. I'll start with the government side.

Mr Spina: Thank you, Ms Hartin; we appreciate it. On page 7 of our copy, you indicated that you recognize that the aim of removing all barriers "cannot be achieved overnight, and will require long-term commitment." There is no question, I think we all agree that we should maintain that ultimate goal. Do you have an opinion on the time frame for implementation? It can be simple enough to say, "Every building built from here on out should have accessibility," but what about a time frame for implementation of retrofits or something like that?

Dr Hartin: I think it would depend on the sector. Clearly the government sector should show leadership, and then municipalities. The private sector will be later.

It's important to recognize that it isn't just building retrofits; it will also be the provision of goods and services. It will be ensuring that application forms are made accessible or, for example, that university calendars be made available. It's not just the building, the physical accessibility; it's also ensuring that other barriers to access be looked at as well.

I suppose that within the development of the accessibility plans, it's a matter of looking at what could be done quickly in terms of retrofit at relatively minimal cost and then putting the plans in place.

We're probably looking at a time frame of five to 10 years, I would think, to have incorporated all the measures that need to be in place to ensure the full removal of barriers.

Mr Parsons: You've obviously spent a great deal of time going through this bill. The title of the bill says it's An Act to improve the identification, removal and prevention of barriers. In your first perusal of this bill, could you identify immediately barriers that you could see that this bill, as it now stands, would remove for visually impaired, blind and deaf-blind individuals?

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Dr Hartin: Certainly the commitment to make government Internet sites accessible was a good step, as well as making sure that most publications would be accessible, although, as indicated, we have some concerns with the qualification.

Mr Parsons: There weren't a lot that jumped out at you?

Dr Hartin: To be honest, it was rather confusing when talking about building accessibility, because it tended to focus on physical accessibility issues, whereas persons who are visually impaired require a range of accommodations. It could include features such as the lighting, the signage and markings on steps as well as some of the other physical barriers. It wasn't clear that the regulations would be broad enough to ensure those barriers would be incorporated as well.

Mr Martin: Thank you very much for coming this morning and for your very detailed presentation. As you're aware, the government is intent on pushing this bill through before Christmas. As a matter of fact, it will be virtually done by next Tuesday. The obvious required amendments that are necessary if we're to respond to the people we've heard from over the last couple of days—and I'm sure today, tomorrow and for the rest of the week—indicate there is a whole lot of work needed to make sure this bill actually does what the minister claims it is going to do.

You've laid out quite a number of very important amendments that need to be put in place. What would your priority be?

Dr Hartin: I think it's important to ensure the legislation be effective and strong. If that means we need to take some additional time to ensure the amendments that are appropriate get inserted into the bill, then I think that should be the priority.

Mr Martin: That we should take more time, that we should take whatever time is necessary or required to make sure we do this right?

Dr Hartin: Yes.

Mr Martin: I'm not sure that's going to happen. I am heartened somewhat that the parliamentary assistant is claiming there will be consultation with the various communities on the regulations. If that's the only opportunity that is provided, I would suggest that you and your group and others make sure the government lives up to that commitment. We've heard it on a couple of occasions here over the last two or three days. We're hoping it's not just more of the platitudinous weasel-word type language that we see in the bill and that has obviously guided the government to this point. I would guess that your organization would be willing to participate with the government in the drafting of regulations, if asked.

Dr Hartin: Our organization would be very happy to provide any assistance we could to assist the government in ensuring that the legislation is strong and effective and that it would address effectively the needs of our consumers.

The Chair: We've run out of time. On behalf of the committee, thank you very much for your presentation this morning.

ONTARIO BRAIN INJURY ASSOCIATION

The Chair: Our next presentation is from the Ontario Brain Injury Association. I would ask the presenter or presenters to please come forward. On behalf of the

committee, welcome. You have 20 minutes for your presentation this morning.

Mr Howard Brown: Mr Chairman, members of the committee, ladies and gentlemen, my name is Howard Brown and it is an honour to speak before the committee today on a subject that is very important to our province. I'm here representing over 18,000 Canadians, one third of them here in Ontario, who receive an acquired brain injury.

I am chair of the government relations committee of the Ontario Brain Injury Association. I am pleased to have with me John Kumpf, the executive director of the Ontario Brain Injury Association, and Helen Sieber, whose son Steven is a brain injury survivor who today is on life support at Humber River Regional Hospital here in Toronto.

A few facts about brain injury: acquired brain injury is the leading cause of death and disability in Ontario for those under 45. A brain injury doesn't heal like a broken arm or leg. The results may last a lifetime. So if you consider the thousands injured each year, you begin to get an idea of just how many people live with these effects every day in this province. Brain injury may occur as a result of motor vehicle collisions, falls, assaults, diseases, brain tumours, aneurysms. In fact, motor vehicle collisions are the cause of approximately half of all brain injuries and falls are particularly evident among the elderly and toddlers.

Brain injury does not distinguish itself by age, gender or socio-economic status. It can happen to any one of us here in this room—at work, on the playing field or even as we drive home from this meeting. Chances are at least one person that you work with, know or love has experienced the effects of this injury, and the effects are devastating. No two brain injuries are exactly alike and may range from very mild to very severe.

Brain injury cuts across all disability groups. Because our brain controls all of our functioning, people with brain injury may also have visual, hearing or speech impairments. They may have mobility difficulties requiring the use of a wheelchair or walker. It is very hard for family members, friends and even employers to understand the personality changes that make it difficult to organize thoughts and remember things that once came so easily. These invisible changes present huge challenges to the survivors of acquired brain injury.

The Ontario Brain Injury Association was formed in 1986. Today, we are linked to 24 community groups across the province, with memberships totalling in the thousands. Our 20-member board of directors is made up of survivors of acquired brain injury, family members, professionals, service providers and business people from every corner of the province.

We are here today because we are deeply concerned that all Ontarians have the opportunity to participate as fully as possible in all aspects of life in Ontario. Like many other individuals and advocacy groups, we would have been much more comfortable with an ODA that laid out explicit timelines for the removal of specific barriers.

It would have been comforting to have assurances that these timelines would be effectively enforced.

It is also imperative that the terms of reference for the advisory councils address the following: representation from a full range of disabilities, obviously; the length of term of service; a requirement that all reports be made public; and that the advisory councils be given authority to identify any and all barriers.

We would also recommend that local advisory councils include in their annual reports the barriers they have to achieving their goals. If additional supportive housing or home care or Wheel-Trans are the identified needs of a community, there should be an ability for municipalities to say the lack of funding is preventing them from implementing their plan. Do municipalities have the ability to fund additional home care, additional supportive housing or additional Wheel-Trans? That is a question that needs to be addressed before elaborate plans become another disappointing intergovernmental funding squabble. The challenge of dealing with communities with populations under 10,000 could be addressed on a regional basis.

However, we want to focus the committee's attention on the barriers faced by those living with the effects of acquired brain injury. Brain injury is a unique disability category. It is not limited to any one specific kind of impairment. People with acquired brain injury can live with physical, sensory, cognitive and emotional impairments; in some cases, they may live with all of these. We urge the committee to recommend that acquired brain injury be included in the definition of "disability" in the act.

People with physical impairments must contend with limited access to public buildings, businesses, transportation and recreational facilities on a daily basis. These barriers are readily identifiable. The proposed ODA attempts to address the issue of physical barriers. Similarly, barriers for those with sensory impairments such as vision and hearing are addressed in the act through the use of alternative formats.

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However, the barriers that are faced by people living with cognitive and emotional impairments are much more difficult to identify and address. We speak of attitudinal barriers that often exclude those living with these challenges, leaving them isolated and open to ridicule and abuse.

We recognize that it is very difficult—I'm not sure it's impossible—to legislate attitudes and values. But it is possible to have an ODA that encompasses a comprehensive program of public awareness and education that would move society toward understanding, acceptance and accommodation of people with cognitive and emotional impairments.

I have a few other comments, but I'd first like to turn over the mike to Helen Sieber to tell the story of her son Steven.

Ms Helen Sieber: Good morning. My son Steven was 21 and a half years old in June 1977 when he was hit by a car while crossing the street to catch a bus. He was in a

coma for three and a half months in Humber Memorial and Queen Elizabeth hospitals. When he awoke from the coma, he was transferred to Baycrest Hospital for rehabilitation, where he spent two years.

He was going into third year at the University of Toronto in computer science. He had a summer job at Solway's hot dog factory in North York. His brain injury has affected his speech, personality, temper and balance, and he still cannot stand or walk. He lives on the income from the insurance settlement which will totally run out in about two and a half years. His father is 75 years old and I am 67 years old and arthritic.

For the last seven years, Steven has lived on his own in a self-contained, non-profit disabled apartment. He got around on a scooter. Steve is now 45. For the last couple of years, his lack of balance has caused him to fall a great deal. Last Thursday was the worst. He had agreed to come and speak to this committee. He never got a chance.

We had arranged for him to have a homemaker who comes in once a week to clean for him. She found him on the bathroom floor, face down, unable to move, slurring his words very badly to the point that no one could understand him. The right side of his face was terribly swollen and his right eye totally closed. An ambulance took him to Humber River Regional Hospital, where he is now.

Yesterday, he was having trouble breathing and last night he was put on life support. If he survives, he will not be able to live on his own any longer. He will need 24-hour assistance and should be placed in a group home, or whatever they have for people like him.

Up till now, he was able to do his own banking, shopping and heating up of his own food, but that will not happen now. All I want to know is, can we get him a place to live with the support and care he needs? He's too young for Baycrest. Westpark Hospital is totally rehabilitation, so they won't take him. I don't know where to turn. I laughed when I heard the only specific regulation in the ODA bill was an increase in fines for disabled parking spots. I can tell that won't do much to help my son.

I wish you luck in your deliberations. It may be too late to help Steven, but I hope my words will inspire the committee to do some serious thinking about how the ODA could be amended to truly meet the needs of disabled people in this province. I hope the municipal and provincial committees will have the ability to address the long-term well-being of disabled people.

Mr Brown: I think what Helen said helps put a picture to the words. There are many issues that brain injured people live with every day. In Steve Sieber's case, living with such a severe injury illustrates his need for appropriate housing, home care and support. For many others, their disability is not so obvious, leading to misunderstandings that impact daily on their lives. They effectively limit the disabled person's participation in family life, community activities and employment opportunities.

We recognize that there are no simple or quick solutions to removing these attitudinal barriers.

The Ontarians with Disabilities Act attempts to address physical barriers faced by those with disabilities. It falls short of its goal of supporting the right of every person with a disability to live as independently as possible, to enjoy equal opportunity and to participate fully in every aspect of life through the removal of existing barriers.

As a preamble, the ODA would be wise to include the 11 principles set out by the ODA Committee as goals of the act. We have not had enough time to fully analyze this bill and consider all of its implications, but after preliminary consideration we can recommend the following: (1) that the definition of "disability" must include brain injury in its description; (2) that explicit timelines be prescribed for the removal of specific barriers; (3) that the bill have an effective mechanism for enforcement; (4) that the role and authority of the advisory councils be clearly defined, its reports obviously made public and that the disability community have real, meaningful input; and (5) that the bill make provisions for the allocation of resources to raise public awareness and education of the issues faced by those with disabilities. The goal would be to foster greater understanding, influence attitudes and work toward the reduction of attitudinal barriers.

A barrier-free community is a minimum goal to full participation of the disabled in society. Through effective regulation and mandated co-operation with both the private and public sectors, the Ontarians with Disabilities Act could help deliver broad public awareness, understanding of cognitive and mental disabilities and eliminate barriers for disabled persons in every part of the province.

The Ontario Brain Injury Association, along with many other disability organizations, stands prepared to assist the government through the advisory councils outlined in the ODA to develop the ways and means necessary to remove attitudinal barriers. We look forward to this challenge. The disabled of Ontario are looking for leadership on this issue. Please don't let them down.

The Chair: We have one minute per caucus, and I'll start with Mr Parsons.

Mr Parsons: I'm trying to find the right words to phrase this and be sensitive. I guess my question to Helen would be, as a parent, one of your greatest concerns, if not the greatest, must be that if you and your husband go first, your son have the highest-quality life possible for him.

Ms Sieber: Exactly, yes.

Mr Parsons: Does the bill, as presented, give you some assurance that that will happen or not?

Ms Sieber: I don't know. I really don't know. I have not had that much time to think about it because we're so concerned with him right now. I'm going to the hospital from here. So I don't think I can answer the question.

As far as my husband and I are concerned, that is a great worry with us: if we go first, what will happen to him? The government will have to take over somehow.

Mr Parsons: The government has to meet the incredibly high standard of parenting that you have established.

Ms Sieber: That would be nice, yes.

Mr Parsons: I don't think it should even be nice; I think it should be an obligation on the part of the government.

Ms Sieber: Yes.

Mr Parsons: I personally am concerned. My wife and I are in a situation somewhat similar to yours. The number one concern is what happens when we're gone. I need the assurance, and you need the assurance that your son will be looked after.

Ms Sieber: Yes, that's correct.

Mr Martin: I have to tell you, I'm struggling with this bill and why it is that the government, on one hand, would say such wonderful things and lead us to believe they were going to do some things that would provide the kind of access and opportunity that it indicates it wants to, and, on the other hand, not put specific timelines and requirements in the bill. The only thing I can come up with is that because in either the public sector or the private sector the bottom line seems to be money, will there be the resources available to actually meet the timelines or the specific requirements?

Trying to put this in some context, we have a government here that is bound and determined to deliver corporate and personal tax breaks to people, and we know that every time they do that, they take money out of the public pot that could be going to providing the kind of housing and support services that your son needs and that so many of the brain-injured across this province need if they're going to participate in as fulsome and complete a way as possible. If you had an opportunity to speak to this government, as you have this morning, around that issue, the provision of resources, and they're making a decision now as they move toward a budget for next year whether they actually give more tax breaks to corporations and people or put more money into the provision of public services for some of the people you represent, what would your recommendation be?

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Mr Brown: I'd like to hear from John. John has had the chance to travel the province and talk to families, but I think generally our constituency would say let's put it into the resources we need for supportive housing, home care, Wheel-Trans, whatever, to make sure these things are addressed. I know it's not addressed in the act, and it is of great concern to us. I don't think you'd have a lot of arguments from our constituency that that's where they want the money to go. Maybe, John, you could comment on it as well.

Mr John Kumpf: Certainly. As I travel around the province and talk to survivors of brain injury and their families, we know there are an awful lot of people who are still looking for treatment. They are still looking for services. There are long lines waiting for services, particularly where those services are only available through the CCACs.

I think the issue Mr Parsons has brought up about aging caregivers is one in which we are seeing an absolute explosion in terms of the numbers of calls we're getting to our office from people who are saying, "We are just preparing our will and it suddenly dawns on us, what happens to Bill, what happens to Joe when we are gone?" For some of them, I ask, "Are you connected and getting services through a CCAC?" For those who can answer positively, you at least know there is somewhere that person is appearing on someone's radar screen.

For a great number of them, I have to tell you that they have been looked after in their homes for years, and dozens of years, by caring parents and they say to me, "What's a CCAC?" They are getting no services. There is a great population of disabled people out there who've been cared for by loving families and they're going to become someone else's responsibility in a very short time. It's a major issue that is not addressed either by this bill or in any other way that we can see.

Mr Hardeman: Thank you very much for your presentation. I think it is a major problem, particularly for a mother coming forward, speaking about a son with the problem. I would say that isn't a problem just for the brain-injured; it's a problem for all adult children who have aging parents. When they were young, we all thought we would live forever, and all of a sudden now that's not the case. I think that's also why the Minister of Finance put a considerable sum of money—and I don't have the numbers here—in the budget last spring to try and deal with adult children of aging parents. We hope that will assist in dealing with that issue for Steven.

I want to say, in my community we have similar problems with adult children, one whom I've been quite actively involved with just recently, and I know it's not an easy problem.

We've had a number of presentations from the Ontario Brain Injury Association in previous hearings and the one item that comes forward every time is the definition of "brain injury" in the act, and it makes a lot of sense. My question on that one would be, can we define it? As you mention in your presentation, there are so many affiliated or associated problems that could exist with it where they would fit another category. Can you define "brain injury" as a category of need as opposed to a contributor to a category of need?

The Chair: Question? We're running out of time.

Mr Hardeman: The other question is, how would you put forward the communication to try and get the public to understand this as a medical problem as opposed to, as you almost indicate, shunning the issue? How would we go about doing that in legislation?

Mr Brown: John, do you want to take that?

Mr Kumpf: I think, first of all, we have the accessibility advisory councils. These councils could be given some scope to devise these things, with input from specific organizations such as the Ontario Brain Injury Association. But I would suggest to you that it's a much broader question than just brain injury when we're trying to attack attitudinal barriers. I think people who are

concerned about mental health, people who are concerned about developmental issues and so on, all face the same kind of attitudinal barriers, and until we remove those, ladies and gentlemen, the removal of physical barriers is going to be a very limited response to the needs of the people of Ontario who are living with disabilities, particularly those that are cognitive and emotional in nature.

The Chair: On behalf of the committee, thank you very much for your presentation this morning.

NATIONAL FEDERATION OF THE BLIND: ADVOCATES FOR EQUALITY

The Chair: Our next presentation this morning is from the National Federation of the Blind: Advocates for Equality. I would ask the presenter to please come forward. On behalf of the committee, welcome. You have 20 minutes for your presentation this morning.

Mr Gordon Dingle: My name is Gordon Dingle and I'm delighted to be here. I would like to thank the Chair and the committee for this opportunity of addressing the matter of Bill 125, the proposed Ontarians with Disabilities Act, and of submitting this presentation to you.

As citizens, we place a high value on the principles of democracy. As citizens, we are concerned with what substance and weight the government will ascribe to our input and that of our colleagues and peers.

The NFB AE, National Federation of the Blind: Advocates for Equality, is a national organization of blind, deaf-blind and partially sighted Canadians. Our mission is to achieve full inclusion of visually impaired Canadians in terms of achieving a quality of life and equality of life that is accorded all Canadians. Pointedly, because of the unique nature of the needs and issues of our community, it is essential that we, as consumers, as citizens, be full participants in the decision-making processes, in contributing to the development of appropriate and acceptable strategies intended to redress the shortcomings of current systems and/or policies.

It is not unreasonable to suggest that the largest proportion of Canadians who are blind, deaf-blind and partially sighted reside in Ontario. For this reason, we are here before you. Today Ontario is under the lens of her sister provinces and all disabled Canadians. Unfortunately, Bill 125 in the current form falls significantly short of effecting full inclusion of Ontarians with disabilities. We would, as do others, reaffirm the need for mandatory and enforceable legislation with the necessary sanctions to ensure full compliance.

Society has failed to provide all citizens equal access and/or participation to the maximum extent possible. To many in the disabled community, their families and their friends, there is the question, what agenda is driving governments? Is it an economic one or a democratic one? Which carries more weight, and why? What will it take? The notion of inclusion, which surfaced some years back in different shapes, has matured and is socially acceptable publicly even more so today, as evidenced through

levels of participation and support in various polls. What is the greatest obstacle? The redefining of priorities, accessibility and participation, and the lack of political will.

Governments, as signatories, have embraced inclusion of Canadians who are disabled as pre-eminent in the social agenda. Moreover, the inclusion should apply, relative to needs, to all segments of society. Integral to this is the development of legislation not only promoting lofty principles, but also entrenchment of regulations and standards as societally collective obligations, including those related to employment in the private sector and enhanced income supports. Some of the finest minds in jurisprudence in Canada have said it must be so. It must be acknowledged that voluntary measures are an anachronism.

This initiative and the Ontario government's accountability could be measured in its correlation to implementing the values and principles espoused in the social union agreement and the emerging frameworks of proposed models for achieving full inclusion and participation of disabled Canadians. Ontario is a signatory to this. Does the proposed act fulfill the commitment to the national disability agenda? Certainly the framework is there. In our view, it is a shell of what it truly needs to be.

Given the time and resources, we could offer historical evidence illustrating that a proactive, as opposed to passive, commitment has always effected positive societal change. It is also worth noting that Canada is signatory to a number of international agreements addressing social issues. These could have been scrutinized with a view to Ontario formalizing some of the elements contained in those commitments within Bill 125, as a precursor to federal initiatives.

1050

Accepting Bill 125 as the foundation, the proposed legislation needs to be amended to strengthen the responsibilities, role, and authority of the provincial council and, to a lesser degree, of the municipal advisory committees as vehicles through which these collective obligations can be fulfilled.

The NFAE in principle endorses the amendments put forward by the ODA Committee in most respects; in particular, as they pertain to the development of regulations, standards, clarifications and additions as defined in the submission of the ODA Committee. Our own views on a few are presented below.

In the matter of the barrier-free council and the directorate, we concur that these bodies should be established within six months of enactment of the legislation.

In the matter of the development of regulations, standards and timelines, they should be established no later than 18 months from the enactment of the legislation, or no later than one year from the formation of the council and the directorate.

In the matter of provision of goods and services, and how sections 5, 6 and 7 and/or any other section may be interrelated or independent, and not knowing relevant provincial regulations with regard to procurement poli-

cies, we would propose an additional clause to section 5, and it would have a relationship to section 8:

"The government, in adhering to the principles of procurement and accommodation for employees, shall ensure that any/all aids, devices or materials must be universal in design, so as to be usable by anyone."

We would also propose the following be included specifically under section 7:

"In any procurement or service provision process, bids from other government departments, municipal entities, and any organization subsidized by any level of government or holding any type of tax-exempt status should not be accepted. These 'public' organizations should not compete with the private sector unless a policy to the contrary exists. Exemption: when the private sector is not able or willing to undertake the work."

In section 19, we propose the inclusion of the following under clause 2:

"Members

"2(b) Any person(s) directly or indirectly an employee of the Ontario government—exception, ADMs—(as defined in amended section 8), or organization(s) or person(s) directly associated with said organization(s) that receive direct sustaining grants/subsidies/contracts are ineligible for formal membership to the council (exemption, the Trillium Foundation). Said person(s) or organization(s) may serve, provided the council is comprised of a two-thirds majority of members from representative consumer organizations.

"By invitation of the minister, representation from consumer organizations shall be determined by said organizations.

"2(c) A quorum of the council is constituted when the majority present are members with disabilities."

Under "Purpose of the council," we concur with the amendments put forward by the ODA Committee, items (a) through (h).

Under "Remuneration and expenses," we propose to delete "may" and replace with "shall" so that it now reads:

"(3) The minister shall pay the members of the council the remuneration and the reimbursement for expenses that the Lieutenant Governor in Council determines."

Finally, we would concur with the proposed amendments of the ODA Committee referencing "Resources."

Quite candidly, the process in the development and fruition of this bill has been flawed. Why? Because there have been woefully inadequate formal consultations, or any kind of forums with the disabled community, in its formulation by the government. The fact that these hearings are being fast-tracked and are of limited time and scope denies the disabled community an opportunity to carefully assess the merits and implications of the existing Bill 125. Worse, it denies the disabled community the necessary time to either formulate and/or assess the implications of any amendments that may be put forward from any sectors.

Ontario has always prided itself on being in the forefront as leaders in our great country. Before you today, as

our elected leaders, you have an unparalleled opportunity of shaping the future not only of Ontario but of Canadian society, establishing a benchmark for all our sister provinces and even for the federal government. At the risk of incurring the ire of both government and our colleagues, we urge the government to postpone third reading.

We would ask the government to apply the necessary resources to sponsoring an assembly of representatives from the disabled community from across Ontario. This would be a forum where both sides could present their positions and hopefully achieve a consensus in the bringing forward of an acceptable Ontarians with Disabilities Act.

On a final note, I was speaking last night with a colleague of mine with the Canadian Council of the Blind, who is president of the Ontario division. He unfortunately will not be able to make a presentation due to not getting back with a confirmation in time. He has asked me to express their concurrence with many of the views we have expressed here.

The Chair: Thank you very much. We have approximately two minutes per caucus.

Mr Martin: I'll start at the end of your presentation. Regarding the forum you suggest and the bringing forward of an acceptable Ontarians with Disabilities Act, are you saying this bill is not acceptable?

Mr Dingle: The framework is there but it needs to be strengthened. No, it's not acceptable in its current form.

Mr Martin: I appreciate your comment regarding the time, the hurrying of this thing through, the fact that a number of people won't be able to participate. I believe there was a long list for Toronto today and tomorrow of people who would have liked to have appeared, but they're not going to make the list because there are just too many. It has had to be pared down and that's unfortunate.

I want to go back to one of your recommendations, if you don't mind, on page 4, because I'm not sure exactly what it is you're getting at. It's the last recommendation, where it talks about procurement. I'm just wondering what you want to accomplish with that.

Mr Dingle: I believe that was in reference to section 7, which is the provision of publications. That is an attempt to protect the business sector. One of the initiatives that has been undertaken is to develop within the disabled community an entrepreneurial ethic. Many disabled persons have started out with their own businesses and are in a position to offer services that would be available to the government and do not need to be in a competitive market with non-profit charitable organizations.

Mr Doug Galt (Northumberland): Thank you for the presentation and the thoughtful comments you have in there. I'm curious if you can maybe help enlighten me on the difference—there's the Canadian Council of the Blind and there's also the Canadian National Institute for the Blind—on the roles the two play to assist our blind disabled people.

Mr Dingle: The distinction between the two organizations is that the National Federation of the Blind:

Advocates for Equality and the Canadian Council of the Blind are two of the largest consumer organizations in Canada. For all intents and purposes, and to use an old cliché, we are the blind helping ourselves. We are a self-help organization. The Canadian National Institute for the Blind are service providers, and in effect, in the type of bill we would hope the government would bring forward, they would be subject to the same conditions and terms under the regulations and standards developed within such a bill.

1100

The Chair: You have time for a very quick question, Mr Spina.

Mr Spina: Thank you, Mr Dingle. Even with the criticism of the short time frame, you brought forward some very specific amendments and I congratulate you for that. I would make only one suggestion: if we don't get third reading by Christmas, we run the risk of losing this bill and not setting the example that you indicate we could set to our sister provinces.

We appreciate your input and remind you that there will be a number of months where stakeholders will have the opportunity to have input into the regulations, which can better define the implementation processes and do what we hope, as you suggested, strengthen the bill.

Mr Dingle: Could I just comment?

Mr Spina: Sure.

Mr Dingle: My concern is that those regulations are not there at this point in time. If, through this committee, amendments go forward to the House that in fact will implement the various proposals and amendments put forward here, then I suspect we could have a better bill.

Mr Parsons: I continue to marvel that we're going to spend more time consulting on the regulations than we're spending on the bill itself.

What I have learned over the last year on an almost daily basis is how little I know about the individual challenges faced by Ontarians with disabilities. I have found your presentation helpful. I found the individual contacts made with me over the last year helpful.

My question to you: for individuals who are visually impaired or blind or deaf-blind, is the number one challenge or barrier facing you attitudinal or is it physical? Is it the services offered in buildings, the arrangement of rooms and streets and sidewalks, or is it an attitudinal problem in society?

Mr Dingle: I would have to say it's a combination of both. It's access to the kinds of information we need that would allow us to contribute as participating citizens. It's access to information in formats through the government that would enable us to be independent and contributing citizens. Certainly it's attitudinal, but given the kinds of materials we need through our government and the support of our government, we ourselves, within our own communities, are working to break down those barriers. Certainly those attitudinal barriers are there.

Mr Parsons: But without your amendments, you don't see the barriers coming down?

Mr Dingle: No, I don't.

The Chair: With that, we've run out of time. On behalf of the committee, thank you very much for your presentation this morning.

CANADIAN PARAPLEGIC ASSOCIATION ONTARIO

The Vice-Chair (Mr Doug Galt): The next delegation to come forward is the Canadian Paraplegic Association Ontario, William Adair and Michael Clarke. On behalf of the committee, welcome. You have a total of 20 minutes for your presentation, and whatever is left over of that 20 minutes after your presentation will be divided among the three caucuses. The time is yours.

Mr Michael Clarke: My name is Michael Clarke. I am the chair of the Ontario division of the Canadian Paraplegic Association.

Mr Harley Nott: Good morning, Mr Chair and committee members. My name is Harley Nott. I'm the past chairman of the board of directors of the CPA, Ontario division, and the present chairman of the national CPA. You mentioned Mr William Adair as well. He's the chief executive officer of the CPA and he is just behind us in the room right now.

The Vice-Chair: He can join you at the table, if you like. It was just a name I had on my list here. That's why we ask for name clarification as well.

Mr Clarke: We—that is myself, Michael Clarke, and my colleague Harley Nott—are here to make a few comments about the ODA Bill 125 on behalf of the Canadian Paraplegic Association Ontario, otherwise known as CPA Ontario. We would like to thank Minister Jackson and the government of Ontario for providing the opportunity for us to do so.

I am at present the chairperson of the board of directors of CPA Ontario and Harley, as we said, is the past chairperson but is still an active member of the board and the executive committee. Harley is also the chairman of CPA national.

In a nutshell, the mission of CPA Ontario is to assist persons with spinal cord injuries and other physical disabilities to achieve independence, self-reliance and full community participation. We do this through providing peer support, rehabilitation counselling, vocational and employment services, community advocacy, case management, information services and attendant services.

We were founded by young veterans of the Second World War who came home with spinal cord injuries. Because they found communities, environments and prejudices often unsuited and unwelcoming to life lived in a wheelchair, they became pioneers in breaking down such barriers. They had no legislation and often no political will to assist them. However, they persevered, led exemplary lives and provided a legacy which removed barriers and paved the way for legions of adults with mobility disabilities who came after them.

We've come a long way since then. That is the CPA history. But now the government of Ontario has made history and set a precedent in Canada by introducing

legislation such as the Ontarians with Disabilities Act. This is progress and CPA Ontario welcomes it wholeheartedly.

The act is a foundation of law which says that barrier-free access for people with disabilities is a right, not a privilege. It requires government to provide access to its buildings, to its jobs and to its services. It requires municipalities to analyze where they do and do not provide access and create a plan to address these issues. While it does not bind the private sector at this time, it is hoped that this legislation will provide more impetus to the private sector by having the public sector lead by example. Perhaps as public sector access becomes completely commonplace, then lack of access in the private sector will become, by contrast, archaic and embarrassing, thus motivating the private sector to catch up with the community and the world around them.

CPA Ontario is pleased to lend its support to this historic legislation. It is new legislation, untried by the people it affects and untested in practice or in courts of law. Because it is so new and unprecedented, it would be unrealistic to expect it to be perfect or to address every need and desire of every person or group of persons with disabilities. Is there room for improvement? Of course. There has to be, for the reasons just stated. Suggestions for improvement or amendment, however, do not need to be and should not be construed as criticism of the act. Amendments and improvements that do the most good for Ontario as a whole can be achieved through co-operation more effectively than confrontation. It is in this spirit that CPA Ontario wishes to extend a sincere offer to co-operate with the government and Minister Jackson on this legislation to lend whatever assistance it can to help make this work for everyone.

In this spirit, then, of welcoming this major step toward ultimately achieving a barrier-free Ontario and in the spirit of co-operation, CPA Ontario offers the following suggestions for amendments which are consistent with the spirit and the letter of the legislation.

Mr Nott: I will summarize the amendments. I should maybe depart from the script for a moment to say that at first glance we were tossing around ideas of more fundamental amendments: make the act binding on the private sector, put an onus on people to provide disability—show cause, why not, and institute a complaints and appeal process. However, it's our view that this act was drafted advisedly and intends what is said in it. The amendments we're offering are within the parameters of the legislation as it sits right now and not fundamental rewritings of the legislation. They tend more toward enhancing communication and consultation within the act to make it work better the way it was drafted, in our respectful submission.

The first amendment we would suggest is with regard to the advisory bodies and their parent organizations. We would suggest that the Accessibility Advisory Council of Ontario should be expressly included in subsection 4(1) as a body to be consulted in the development of barrier-free guidelines by the government. The government has a

duty to develop barrier-free guidelines and it seems only sensible that they should consult a body with expertise in that area and a body that has the mandate and powers to consult with those who have suggestions and expertise.

The Accessibility Advisory Council of Ontario and people with disabilities should be expressly included in subsection 10(1) as a body to be consulted in the development of barrier-free guidelines by the ministry. The inclusion of people with disabilities in that is significant. That is not presently in the act.

1110

The act should have an explicit onus on municipalities in subsection 11(1) to consult with the Accessibility Advisory Council of Ontario and people with disabilities in the preparation of their accessibility plans. This mirrors the preparation requirements of the government's plan as well. The government is required to consult, and we're suggesting that the municipalities do so as well.

The following three suggestions are along the same vein as that, the same consultation suggestion, but applying to different sections.

The act should have an explicit onus on public transportation organizations, in subsection 14(1), to consult with the accessibility advisory council and people with disabilities in the preparation of their accessibility plans. The act should have an explicit onus on scheduled organizations, which are found in subsection 15(1), to consult with the accessibility advisory council and people with disabilities in the preparation of their accessibility plans. And the act should have an explicit onus on agencies, in subsection 16(1), to do the same.

The next suggestion, number 2 in the document hand-out, is that in recognition of the new and innovative nature of the legislation, the review of the act should be performed after three years rather than five. If this act is having some effect or experiencing some difficulties, that should become obvious within three years, and three years is a period of time which allows the government to institute remedies for any difficulties before they become endemic, as they might after a five-year period.

To ensure that the legislation accomplishes its goals, the description of the accessibility advisory council in section 19, the duties and powers of that council, should be amended to include an explicit requirement. We would suggest that would be clause 19(4)(f), which does not presently exist, to issue a review of the implementation and effectiveness of the current barrier-free guidelines in force. What that is: the government develops guidelines, and then annually the accessibility advisory council reviews empirical evidence and information, drafts a report commenting on the effectiveness and the implementation of those guidelines and provides that report to the government. This will ensure that issues do not slide between the cracks, that the government is current on the operation of the legislation. It seems to be something that's consistent with the existing powers and duties of the advisory council and consistent with the spirit of the legislation.

To ensure public accountability, first, the description of the advisory council in section 19 should be amended

to include an explicit requirement in subsection 19(6), we would suggest, to engage in public consultation in the preparation of its reports and advice. This relates back to the previous suggestion that if the council is going to prepare reports, then there should also be public consultation with not only people with disabilities but people who have an interest in this: government, people in the private sector, business, anybody who might have an interest.

Second, the description of the accessibility advisory committees under the municipalities in section 12 should be amended to include an explicit requirement in subsection 12(4) to also engage in public consultation in the preparation of its reports and advice.

But as you can see, these are not major, fundamental revisions suggested to the act. We're not suggesting that you draft a new act. Rather, in our submission, they're common sense and they're some fine tuning of the act, the purpose of which is to enhance and ensure communication and consultation as this precedent-setting legislation goes into effect. There's going to be a transitional phase. Everybody knows from experience that such phases can be confusing and that issues can get lost along the way. So the suggestions we're putting forward are hopefully to ensure that everybody is going to have a current understanding of how the act is working; that issues that should be brought to the government's attention are; and that the government also has a current body of information to refer to when it's making any decisions within the act. This should improve communication between the advisory council, the community access committees, the public and the government. In our submission, the suggestions for amendments are consistent and within the parameters of the act and should help to achieve its purpose.

Again, we thank you for the opportunity to make our comments and applaud the government for holding these hearings. We'd welcome any questions you may have at this point. If anything needs to be repeated, we'd be happy to do that as well. We'd like to let you know that the Canadian Paraplegic Association Ontario is ready and willing and pleased to assist the government and Minister Jackson in any way it can in the implementation of what is historic legislation. We'll do this in any way we can. Thank you for your time.

The Vice-Chair: Thank you very much for your presentation. We have about two minutes per caucus, starting with the government side.

Mr Hardeman: Thank you very much, gentlemen, for your presentation and particularly your suggestions. It would seem to me, particularly as you start off with your suggestions, that they primarily are things I would have thought were automatic, without writing in that when a ministry prepares a plan, they would consult with the advisory group that was created to help in this initiative. I think it makes good sense to look at that and say if that's not perceived to be automatic, then maybe we should be looking at making sure that it is explicit, that that's what the committee should be doing for the community.

The other one, renewing the review in three years, as opposed to five: I agree with you that as you start implementing it, the major shortcomings will, shall we say, wash out likely in the first three years. But do you not recognize or do you not support the wording of within five years, that in fact it could be done in three? In government circles, three years is not a very long period of time when you look at the fact that it took six years to get here. If you were going to do as thorough a review of the legislation as was done to create the legislation, it wouldn't even be done in the five years. Is there no concern that we can't get it done in three years?

Mr Nott: Just to flip to the other side of that coin, three years may be a short period of time in government circles. However, for people with disabilities and other people who have a stake in this legislation who have been waiting many, many years for it, if something within the act is not working or if there's something pretty important missing from the act, then three years can be a long time to wait. An extra two years on top of that can be a very long time to wait for that even to be reviewed, even to be looked at.

1120

Mr Parsons: I spent half a day in a wheelchair in a community in Ontario and was surprised at the number of places that were not accessible to me. So I'm a little bit surprised at your presentation.

I have two sisters who are Korean. If someone said to them or to me, "You can't go in that store because you're Korean, but maybe five years from now you can go in"—if there was one store in town or one apartment they couldn't rent because they were Korean, I would be up in arms, as would the rest of Ontario.

So I am intrigued that you're not asking for the rights that every other citizen has to have access to private facilities, to have access to residential, to have access to business, to have access to doctors. You've got to tell me, because I just can't figure out why you don't believe the private sector should be involved in this to give you rights that every other Ontarian enjoys.

Mr Clarke: We do look forward to a day where the daily life of someone with a mobility impairment is not vastly different from the daily life of someone without it. By that, I mean that you don't have to maintain a checklist in your head when you're going to a restaurant or visiting somewhere that you've never been before.

The comment about the private sector I think is quite fair. The private sector makes up the largest part of the life of anyone in this province with a disability. Certainly, we look forward to a day when that level of access or the needed level of access is available everywhere we go, public or private. We feel that the government has made a sincere effort to bring forward a piece of legislation that they'll be able to move forward with rapidly and that by doing so, we can dispel some of the fears and misconceptions around access and the cost of access in the private sector. There is I think a fairly widespread fear that it's going to cost the earth, the sun and the moon to allow people with wheelchairs to get

into whatever buildings they want to get into. We don't believe that is true. But to legislate that level of access at this moment seems to be something that governments have been reluctant to do for the past 20 years. So what we see at this moment is an opportunity to move forward.

Mr Parsons: But going into a building isn't a privilege; it's a right.

Mr Clarke: I completely agree with you, and we anticipate being able to exercise those rights in the future. We also realize that this process needs to get started somewhere, and this is a useful start.

Mr Martin: I appreciate the tenor and the tone of your presentation and the respect with which you approach government and seem to want to go a distance to try to understand why they're not being more aggressive in this. Is it acceptable to you that the private sector should simply follow the public sector because it's the right thing to do, as opposed to actually laying down some very hard and fast guidelines and rules and requirements of the private sector to actually do something significant here?

Mr Clarke: Again, I would prefer to live in a society where it wasn't necessary to legislate people into providing a reasonable level of access for everyone who wants to visit their facilities. We have watched successive governments over the past 20 years promise to bring forward legislation and fail to do so. This, we believe, is a step forward and an important piece of legislation that will form the basis of legislation that will someday allow people with disabilities in Ontario to use—

Mr Martin: So it's acceptable for you that because governments in the past have not done it, this government should now also renege on its responsibility?

Mr Clarke: We believe that the government is sincere in its desire to build legislation that people with disabilities can use to increase their access. To kill this bill because it doesn't address every issue that we believe is important I think is short-sighted. I believe that waiting for a perfect piece of legislation will rob us of the opportunity to move forward at this moment.

Mr Martin: You make the point that—

The Vice-Chair: We've run out of time. On behalf of the committee, thank you very much for coming forward. We appreciate your presentation and your thoughtful input.

ANNA GERMAIN

The Chair: Our next presentation is from Anna Germain. I would ask the presenter to please come forward and state your name for the record. On behalf of the committee, welcome. You have 15 minutes for your presentation this morning.

Ms Anna Germain: I'll hang on to the handouts until I'm done so that instead of reading, you'll listen.

My name is Anna Germain. While I address this committee as a lone individual, I can assure you that at the very least hundreds more across Ontario would stand by me in agreement if they could.

Months ago, when I met David Lepofsky and Tony Coelho in Ottawa, I became very interested in an Ontarians with Disabilities Act. After some discussion, I concluded that this would be of significant benefit to all. I saw a good ODA as a progressive idea and thought that it was about time, so I set out to observe any developments and stayed in touch. Quite a while went by before the government seemed to pick up on it. We have before us the sum of Minister Jackson's insights.

Why is an ODA a good idea?

The charter has highlighted a need for respect, equality and access without discrimination. But these are not just handed over or readily incorporated into the daily life of all people who have a disability, particularly a developmental disability. There are human rights and talk of accommodation, but it is often up to individuals to fight a battle to obtain the basic dignity of access to all areas of life. An ODA must protect peoples of all disabilities. Developmental disability must no longer be stigmatized.

I thought that all individuals were valued in Ontario. Barriers are present in all aspects of life; they prevent Ontarians with a disability from participating in the mainstream of Ontario life. How can you participate without adequate transportation, health services, a real education that is properly supported and a real job, for example?

The proposed ODA, Bill 125, presented by Minister Jackson talks of first steps. What on earth does that have to do with taking down barriers? Either you do it or you don't. There is no need for an occasional gate in a continuous fence.

"Disability" does not equal mobility disability. "Barrier-free" does not mean parking fines and door buttons; it is about access, respect and dignity. It is shameful to even dwell at this late date on parking and door buttons. These are very slim pickings. It reminds me of envelope funding, which this government is so fond of. This is like envelope thinking: put just a little in, seal it quickly and watch it leak and underserve.

1130

I have observed the predicament of various individuals trying to get to their destinations. Just imagine yourself having to order your cab a day ahead, waiting for it for any length of time and at times being scolded because you were not there ten minutes earlier. I suspect that most would rebel quickly. Is good access to transport and dignified treatment too much to ask?

Why an Ontarians with Disabilities Act? To effectively ensure to persons with disabilities in Ontario equal opportunity to fully and meaningfully participate in all aspects of life in Ontario based on their individual merit, by removing barriers confronting them and by preventing the creation of new barriers.

There are so many problems with Bill 125. The bill talks of providing opportunities. Such language is light years from ensuring equal opportunity. The only requirement of the bill is for new buildings and new occupancies, while it ignores various needs. It does not ensure

removal and prevention of further barriers in all aspects of life. Annual plans without requirement to implement are nothing at all. It sounds like envelope planning.

Inaction can speak as loudly as actions. Bill 125 will send a message that people with a disability need not be taken too seriously, nor be properly supported or respected. It could easily propagate discrimination.

It seems that the government has redefined Ontarians as units of production rather than individuals valued as human beings. Ontarians' hearts have been ripped out. Tell us, to be valued now in Ontario, what standard must a person with a disability live up to?

The government would be able to grant exemptions from a bill that has no teeth. Overkill, don't you think?

This government loves consulting with stakeholders. As observed, these stakeholders are carefully picked to exclude real advocacy and actual clients and their families. How can standards be devised without the truest stakeholders, actual clients?

I wonder if the government will also entertain implementing a medical model, as in education funding, by labelling and categorizing people by disability.

This toothless bill has no requirement to make regulations, real plans, real access and has no time frames. It has only guidelines and process. Again, like the envelope; empty envelopes.

The bill asks provincial and municipal governments to "have regard" to issues of accessibility. Stop regarding and do something. There are no provisions for appeals, no accountability, nothing to account for, no consequences.

As far as consultations with persons with disabilities, if these brief consultations and this ramming through of a bill are any indication, don't use the term "consultation"—or has this term been redefined also?

About the "Accessibility Directorate": stakeholders are chosen by the minister "to develop codes, codes of conduct, formulae, standards, guidelines, protocols and procedures." Wow, I just had to pinch myself. I thought I was reading about the education underfunding formula. Now there is an example to behold.

The auditor's report has just shown—and I quote from pages 9 and 10: "We concluded that neither the school boards we visited nor the ministry, which was in the process of implementing a multi-year plan to strengthen accountability for special education grants and services, had the information and the processes in place to determine whether special education services are delivered effectively, efficiently, and in compliance with requirements. Our observations included the following...."

"Neither the ministry nor the boards had established quality-assurance processes to ensure that suitable programs and services were delivered to students with special needs.

"School boards do not collect and report sufficient, appropriate information on their special education expenditures and service delivery to support decision-making by management and to enable effective oversight by the ministry, trustees, and parents."

What do these and numerous statements in the audit mean? Lack of accountability; lack of efficiency and compliance; the funding formula in its fourth year of failure. The experts are in the dark. It's quite a track record for monetarists, would you not say? Are we to expect that the same government will be full of wisdom with this bill?

A minister's advisory council sounds good, but in practice it's a one-way street going the wrong way. It will not put persons with a disability in the driver's seat. You cannot drive from the rear.

The bill has no enforcement mechanism or any duty to accommodate. While it invokes the code, it does not invoke its duty to accommodate. There must be a penalty for violations thereof; that is, if there were teeth to this bill.

Since the government loves US models, Tony Coelho, who was a House representative, got an American disabilities act passed in 1990. I asked him about key strategies he had used to accomplish this. He responded, "Collaboration throughout with the business community." The business community was a proactive and happy partner and made appropriate accommodations. Perhaps the Ontario business community is being underestimated or kept out of true partnership. Or perhaps all that is wanted is an empty envelope. Tony Coelho also showed how many of the accommodations made for persons with a disability have benefited society and the able-bodied even more.

So many have waited at least five years for the fulfillment of the promise of an ODA. Is this all the government can come up with, a planning exercise that may give an illusion of doing good? What a shame. This bill is a slap in the face to all who waited for real help with dignity and equity. It is an insult to all who, through no fault of their own, have a disability. Why ignore the years of extensive work that went into David Lepofsky's submissions? Did this government think that it would do better in a few short weeks, with only a hint of consultation? Such presumption.

This bill will force the disabled to file human rights complaints when it completely fails them. The evidence in Bill 125 raises the question of whether there is any interest in truly improving the lives of people with disabilities. Is there only a will to appear to have wonderfully saved them all? We'll probably receive a \$6-million flyer to tell us about it too.

Why all this rush and inadequate treatment of serious issues? You've had years to address it. Why shove it through in such a rush? Perhaps waiting till spring would have given it too much air time. It could get uncomfortable in an election year. It could afford electoral brownie points.

This bill is inadequate. It is an offence and a potential injury. Please withdraw it. We are all better off with nothing. Please scrap this awful bill and let the next government treat it with the respect that all people deserve. It is better not to have an ODA rather than this mangled and gutted bill. It does nothing to make life better for the disabled.

The Chair: On behalf of the committee, thank you very much. You've used your entire time.

1140

CANADIAN MENTAL HEALTH ASSOCIATION, ONTARIO DIVISION

The Chair: We'll ask the next presenter to please come forward. The next presentation is from the Canadian Mental Health Association, Ontario division.

Mr Martin: On a point of order, Mr Chair.

The Chair: I'll get to you in a minute once I'm done. On behalf of the committee, welcome. You have 20 minutes for your presentation this morning.

Mr Martin: On a point of order.

Mr Martin: So far throughout this consultation, we've been flexible when people have come close to their time or even gone over and you've given us at least a minute each to ask a question. I'm wondering why in this instance we haven't done the same thing and allowed the last presenter an opportunity to respond to at least some brief comment or question.

The Chair: Mr Martin, I think if you check the record I pointed out that the presenter had 15 minutes. The presenter started at 11:23, and the presenter ended at 11:39. That is 16 minutes. She went over one minute for her presentation. It's not a point of order.

Mr Martin: Well, I would suggest to you, Chair, that if you put the same clock to everyone yesterday—

The Chair: You're not on a point of order. You're out of order, Mr Martin.

I ask the presenter to please step forward.

If you want to take the time off, if you want to recess for 10 minutes and not let the presenter make their presentation—you're out of order, Mr Martin.

I would ask the presenters to please present.

Mr Martin: You're not living up to the spirit of the agreement.

The Chair: Would you please start with your presentation.

Mr Steve Peters (Elgin-Middlesex-London): Welcome.

Ms Barbara Everett: Thank you. Great beginnings.

Mr Martin: The hammer must come down.

Ms Everett: It has.

Mr Martin: We've been waiting two days for it to come down.

Ms Everett: My name is Barbara Everett. I'm the chief executive officer of the Canadian Mental Health Association, Ontario division. With me is Patti Bregman, our director of programs.

The Canadian Mental Health Association has an honoured 85-year history in Ontario. We have 33 branches throughout the province, and we serve about 65,000 people per year who have what is often called an invisible disability. We are very interested in the kinds of discussions we're going to hear on issues of accommodation and attitudinal barriers.

I'd like, at this point, to turn it over to Patti to hit the high points on her brief.

Ms Patti Bregman: Thank you very much for giving us this opportunity. You've got a copy of our brief; I'm not going to read it.

There are a couple of really critical points that I think need to be made this morning.

First, mental health is a disability that should be covered by this legislation. I understand that for some people who have been travelling through the province there has been some question about that. I think the legislation makes it clear and I think the Human Rights Code makes it clear that it is critical that with this legislation—which, to be honest, appears on its face to be primarily directed toward physical barriers—it's essential that we don't lose sight of the fact that mental illness creates psychiatric disabilities that have the same effect as having a step. I'm a lawyer by training, and I can't tell you the number of calls I've gotten from people who are able to work, willing to work and had barriers put in front of them.

With that said, I'm going to spend one minute talking a little bit about our experience, because I think it's important for you to know what CMHA has been doing on its own accord on barrier removal with the private sector, because it will inform our recommendation that the private sector should in fact be covered. Through funding from the Minister of Citizenship, we've got a project called Mental Health Works, which is to develop education and training materials to assist the private sector in removing barriers in the workplace. We are on the verge of signing an agreement with Dofasco and we've got some other private sector partners, but that alone isn't going to remove the barriers.

We've also part of two formal partnerships that have existed for a year now, which are cross-disability, with CIBC and Scotiabank. They are signed, collaborative relationship agreements. They're there because those two banks have decided to put a high priority on removing barriers. We're about to enter into two more agreements with CN and TD. But I can also tell you—and I've had this discussion with them—the reason these agreements came about was not simply, "We're going to do the right thing following the voluntary measures." It's because at the federal level you've got a federal Employment Equity Act that requires compliance, and the banks are currently being reviewed by the commission. You've got a federal commission that's very proactive. They've said to us that the reason we were able to get the highest level of the banks engaged has to do with their legal obligations. It started as a legal obligation; it has now moved to something much bigger than that.

But in listening to all these submissions, we're making a false dichotomy when we say it's either voluntary or by legislation. There is nothing inherent in enforceable mandates on the private sector that precludes voluntary participation. In fact, our experience is that it's those mandates that really encourage people to come to the table. We're not looking to litigate, but we are looking to have barriers removed.

To move on to our key recommendations, I want to start by saying we endorse the recommendations made by the Ontarians with Disabilities Act Committee. I think you'll find they're quite comprehensive and focus on issues of particular importance to people with mental illness, and that's where our focus will be.

The first recommendation is on definitions, and we are actually making a specific recommendation about definitions. It's on pages 9 and 10. You'll see in the recommendation that what we're trying to do is propose a definition that doesn't require labelling. People with mental illness are often labelled, and people who are not mentally ill are often labelled inappropriately. It's the only disability that is defined in a way that suggests you need a medical definition or diagnosis to come under the act, and we think that's inappropriate. That, in and of itself, is stigmatizing and will leave people out.

We're also recommending that you add, as you have in the Human Rights Code, a provision that reflects the fact that there's discrimination because somebody has had a mental illness in the past. There's a huge amount of stigma in society. It makes a lot of misassumptions about people with mental illness, whether or not they currently have that mental illness, so it's critical that the definition of "barrier removal" incorporate the need to remove those barriers that affect people who have a mental illness, who have had one or, in fact, where there is a perception of having one, because mental illness isn't something you see; it's something that comes from within. That's our first recommendation.

The second recommendation relates to the definition of "barrier." The reason that we are recommending this change is that what you've got in there—it's kind of an odd definition that I haven't seen before—says that something's a barrier if it's not an obstacle to somebody who doesn't have a disability. Now, if the intention is to say you don't want everybody in the world to be able to use the fact that it's a barrier to come and take advantage of this—the Human Rights Code or this legislation—that's fine. But if you leave that in as it's worded—an awful lot of barriers that affect people with mental illness affect a lot of other people—what you're effectively doing is saying most of these barriers will never be affected or removed by this legislation. We think it's a very serious problem in the definition; it's one that's going to cause you a lot of litigation down the road. We've proposed some language which we think may assist you in making an inclusive definition of "barrier" and which goes with the intent of the legislation.

The next set of recommendations relate to the plans. I want to say at the outset that the minister's language has been very good. We are really pleased to see language that is inclusive, that recognizes that barriers exist all over and that they need to be removed. Our recommendations are aimed at putting life to those statements. Right now, as we read the legislation, it's inconsistent with what the minister himself is saying is both the goal of the legislation and with what the vision statement of the government is.

First, it needs to cover all sectors of society. There is absolutely no excuse for not including everybody at the beginning. The way the legislation appears to be set up, you've got organizations, you've got the government, you've got agencies. What we think the solution is, is not saying that on day 1 every single organization in Ontario is going to have to do a plan. What we are saying is that you need to have regulations at the outset that say on such-and-such a date organizations in this class or in this sector need to have a plan. If we don't do that now, it will never happen. I've been around long enough and I've watched the Human Rights Commission sit with guidelines for 20 years that could have been made into regulations and never have been. So I think it's really critical that we address this now and not wait.

The second point we want to make—as you're going through all of the hearings—is to keep in mind that the goal of all of this is barrier removal. I think we have to watch getting so bogged down in plans that we forget what the plans are about. In the back of your mind, the plans may look very complicated and technical. I'm not going to spend any time on them, because I don't really care what they look like if they remove the barriers. I think we need to make sure that goal remains at the forefront.

We do have some difficulty with the fact that the minister can remove exemptions and do a number of other things without public accountability and certainly would recommend that you look at our recommendations in this area, at the recommendations of the ODA Committee in this area.

The next area has to do with the regulation-making process. I've been following this quite closely, and I keep hearing that the regulations will be able to fix a lot of this, and to some extent that may be true. One of the problems, from our perspective, with regulation making is that it's done in private. We have heard that there is a real willingness to have involvement and consultation in the regulation-making process, so our recommendation is that you amend the act to actually incorporate that into the legislation itself. It's consistent with what you're saying. It's consistent with what you want. If you don't, what tends to happen is that people say, "Oh well, that's a secret process. We can't disclose." We know that with the Red Tape Commission you have a consultation process. I was one of the original members of the Health Professions Regulatory Advisory Council, which has a public consultation mandate and can look at regulations.

We'd really urge you to put into the legislation something like the securities commission has that says we will have public notice and comment time for regulations—anybody who wants to, all of the stakeholders, not just people with disabilities but people who will be affected by it. It's essential that that be in the legislation itself.

The other area that I gather the regulations will deal with has to do with enforcement and accountability. As a lawyer, I honestly don't think you can do it as it's currently drafted. I think you need to put something in the

legislation that specifically gives you regulation-making authority on enforcement and accountability. I'd urge you, as you're going through the clause-by-clause, every time you come to a paragraph that says, "The government shall," identify who in the government shall, who will be accountable and what the consequences are if it doesn't happen. That's what true enforceability means in legislation, both accountability of everybody knowing who it is that they can go to if it doesn't happen and what the consequences will be.

Finally, I wanted to move on for a minute to the issue of public education. It's something that the CMHA, Ontario division, feels quite passionate about. You'll see in our brief that we actually are doing some public education now in northeastern Ontario as part of a partnership with the Centre for Addiction and Mental Health and with the Ministry of Health. Underlying the effectiveness of this legislation will be good public education and good technical education. Our recommendation is that both of them be addressed in this legislation but also in government policy through adequate resources.

The area of technical education is similar to what we're doing with Mental Health Works. It's making sure that employers understand and businesses know what to do. I think you need a formal recognition in the legislation that the government sees this as something critical to do. One of the things that's made the ADA successful in the States is the availability of technical assistance. This isn't easy stuff. The work we're doing with the banks—the reason they're so enthusiastic about our partnership is that we're not telling them how to run their business. They are running their business, they're educating us on that. We are telling them how to help make their business barrier-free, and I think that's a really critical component.

On the public education side we're dealing with stigma, and you'll see in our brief that I've referred to a number of studies recently that really identify stigma and the barriers it creates as a significant problem. It's quite telling that in the UK the regulatory body for physicians has actually initiated a five-year education plan directed at health care providers. They see it as a barrier to effective health care services. Similarly, this is part of our project in the northeast. We've got the Surgeon General in the US saying that this is one of the critical problems. The World Health Organization sees it as a problem.

What we would like to see in the legislation that might address this are a couple of things. One is a specific requirement that in the barrier-free plans they address the issue of stigma and attitudinal barriers. As I said at the beginning, one of our concerns with the legislation is that as much as everybody says these are the barriers that cover everybody, it's really about physical barriers. The language accessibility is about physical barriers. We'd like to see that every section of the legislation specifically recognizes that all of these plans need to address, implement, carry out and remove the attitudinal barriers in a timely way. We can't wait 10 years. We can't even wait five years. We really need to start that process now and recognize that it will take an ongoing, sustained

effort and commitment from the government, from the private sector and from the broader public sector. We're quite happy to participate in anything we can do to assist you in going down that path.

I'm going to stop in a second, just so you do have time for questions. But I guess what we want to say is that you really take seriously the recommendations that are being made by us, by the Ontarians with Disabilities Act Committee, by the other organizations, that will truly make what the vision says the legislation should be. It needs to identify and require the full range of barriers to be removed and prevented. It's got to apply to all of the sectors. To a person facing a barrier that prevents full participation, it doesn't matter who has created the barrier. Often they may not know whether the barrier is coming because it's a building code requirement, because the government has done something or just purely out of ignorance—people didn't know what it was. You shouldn't force the person facing the barrier to have to spend their time trying to figure out where it came from and trying to figure out whose responsibility it is to make it go away. We see this legislation, rather than encouraging litigation, as being the alternative, as opening doors without forcing people with mental illness, who already face stigma, having to publicly disclose that they have a mental illness and file a human rights complaint. That process in and of itself is hard for people with mental illness.

We see this legislation as tantalizing. We see it as offering the potential for doing something real and progressive. What we don't see yet is the fundamental core. We see things that exist in the past that are being brought back, like the advisory council; that's not a bad thing. But I guess what we would like to be able to say is that the tantalizing smell that is coming from this legislation is actually a reality that everybody in Ontario at the end of the day could celebrate.

As a final request, I really would urge you to rethink a little bit the time frame for some of this. We appreciate the fact you're having hearings and listening to amendments. I will just tell you from our experience on Bill 68, where we publicly congratulated the government for having very extensive hearings on the Mental Health Act amendments, where we participated and a number of our amendments were adopted—I've been out on the road for the past year; it's a year now since the legislation came into effect. What I can tell you that we've learned and I think the message the government has is that two things happened with that legislation that I think you can avoid here. One is that they amended it and passed it within a week, and the result is that there are some amendments in that legislation that don't work. People cannot figure out what to do with it. For example, if you're trying to enforce a CTO, there's a strong body of opinion, not just mine, that thinks that ends the CTO, which is obviously not what the intention was. It's a drafting thing, because you don't draft that quickly. I'm worried that if you adopt the recommendations we're making, and we truly hope you will, you may find yourself in a similar position, if you try and go so fast that you don't give people a chance

to read what the amendments are. I think that would be a really tragic mistake down the road. It will end up taking a lot longer.

The second lesson we've learned is that if you don't do and have in place an implementation strategy and comprehensive education, you'll have a problem. We're one year from the date of proclamation of Bill 68; it's still not implemented in many parts of the province because there was no implementation plan, it went so quickly that nobody had a chance to do it and there is no formal education process that is comprehensive. Without that, it's going to be hard to make the best legislation in the world effective. I understand you want to move quickly. We would really strongly urge you to think seriously about taking the time after the hearings to look at the amendments, to make sure they're right and to make sure you've got it right when you go out to implement it, because I think we'd all like to be there celebrating the day when we get a truly strong, effective act.

The Chair: Thank you very much. We have a minute and a half per caucus and I'll start with the official opposition.

Mr Parsons: Your training as a lawyer would probably put you in the best position of anyone to analyze this bill. How long did it take you to analyze this?

Ms Bregman: It took me a long time. I'll be honest: I'm still analyzing the bill. I've been through this a couple of times. Some of my colleagues in the audience have listened to me as I've gone through it. It's a complicated piece of legislation, in a funny way; it looks simple. It could use some more time to really think through some of the pieces.

Mr Parsons: So with the way the hearings are fast-tracked—indeed, in Ottawa people had about 24 hours—without the legal training there were barriers presented.

Ms Bregman: I've been hearing about barriers. I have to tell you, I've heard from people who have a mental illness, I've heard from our branches out in the regions, that while people would like to present, they're just not in a position to prepare. They did not feel able to come forward.

Mr Parsons: It seems terribly ironic.

Ms Everett: May I say also, Mr Parsons, that I have a PhD and I couldn't have made head nor tails of it. So I'm glad I had Patti to help.

Ms Bregman: It's also, to be honest, hard for organizations. As you know, I had a long involvement in this legislation before I was at CMHA, so I kind of knew what was coming. But I had to put our board in the position of educating them and approving a position, because I'm not speaking for my position, I'm speaking for the board of a provincial organization. For most provincial organizations to come and be able to approve a position that is really detailed is extraordinarily difficult. You're probably not getting the best of what you could be getting and I think that's unfortunate. There's an awful lot of knowledge and expertise out there that could have helped.

I should add that it goes with our campaign too about mental illness being part of it. We were probably the only group not consulted by the minister before this. We never met with him. We asked to meet. We were not part of any of the subsequent discussions. We somehow seem to have been kind of tossed to the side. This is actually our first opportunity to have any formal input into this legislation.

Ms Bregman: Coming from another lawyer, I understand.

Mr Kormos: I read with interest pages 7 and 8, and followed you as you were going through it, where you referred to the core principles. We all accept those. Those core principles are so fundamental: (1) inclusiveness and flexibility, (3) “must cover the public and private sectors,” (5) “In addition to mandatory legislation, there should be ... financial incentives available.” To me, those are among the core of the core principles, that little collection I’ve isolated.

Then I refer to your analysis of the legislation, following that carefully. I appreciate you've been very generous in saying it provides a framework. But where I come from, laws either prohibit certain things or they make certain things mandatory: either "Thou shall" or "Thou shalt not." It's biblical. I don't find the "Thou shalls" and the "Thou shalt nots" in this legislation.

Ms Bregman: I'll tell you what I see. There are some "Thou shalls," but that goes to my comment about how it doesn't really mean a lot to say "Thou shall" unless you know who "Thou shall" is. This is "Thou shall" as the government, and that's very unusual in legislation to say it is the government. Who do I go to? Do I go to the Premier? Do I go to Management Board?

There is also no "What if thou does not?" and that's a real problem. I would not call that mandatory legislation.

There are also not “Thou shalls” where we would like to see them, where we think it’s essential, and that is, “Thou shall pass regulations within six months to say that all sectors are covered and here are the timelines by which they are covered,” and what happens with those “Thou shalls.” I think that has to be fixed in this legislation for it to truly be called mandatory.

They've done it with parking fines. I think if we look at the proportionality, if you can pay \$5,000 because you've parked inappropriately, there has got to be a proportional consequence for a "Thou shalt" when you don't do something.

We've recommended, if there is no other option, giving Management Board the authority, for example, if the ministry does not put in a plan that meets criteria that we think need to be in place, to impose a plan, to hire somebody to put a plan in; that the Ontario Human Rights Commission be given the authority to issue directives saying, "Thou shalt do X, and if you don't do X, we will do it for you," which is very similar to how other legislation works.

Mr Hardeman: Thank you very much for your presentation. Unfortunately, I suppose, for me, I'm not a lawyer so I won't be in the group. But I understand that if a piece of legislation says "Thou shalt" and it doesn't define who "thou" is, it is in fact the minister who is responsible for that act. I think "Thou shall" means, in this case, Cam Jackson. So send him the penalty, whatever it might be. I say that in fun, but that's just my understanding.

I really would like to get your opinion on the removal of the invisible barriers that you spoke of that is presently being done through the Human Rights Commission. If you put that in the disabilities act, is there not a danger that people would not be able to approach the way it is presently being done? It would seem to me that generally they are arbitrary. The employer or one person says, "I didn't do that at all," and the disability person says, "But you did." Isn't that an arbitrary decision that someone has to make, other than just being able to define it in the act and say that it's black and white, that those are almost like judicial hearings that have to be held?

Ms Bregman: There are two pieces. We're not suggesting that you eliminate the Human Rights Code for individual complaints where somebody has said, "You said something discriminatory." But there are a huge number of invisible barriers. For example, employment policies: what kind of questions you can ask during an interview; a question of whether or not you allow somebody to lower lighting or have frequent meals because they are taking medication that requires that. These are policies that apply to the entire workplace, and those are the things we're working on now in fact with the banks that we think can be put into place.

The other piece is the removal of attitudinal barriers that I talked about in terms of ensuring there is public education, that there are non-harassment policies in place; in other words, that there is a framework within the workplace that does not permit these barriers to continue to exist or be removed. So it's no different really than saying, "We're generically going to remove the physical barriers but you can still file a human rights complaint if you have a particular issue that needs adjudication." We don't expect this Legislature to adjudicate specifics. But there are a huge number of barriers, and one of the things we think is really critical is to make sure they are explicitly addressed. I think it's part of the education process to make sure they are explicitly addressed so people understand that they have an obligation, that it's not sufficient to allow these things to continue.

It's like the physical disabilities: there are two pieces to it. There is the systemic piece that says, "Everybody does this. Everybody operates in this way." I'll give you an ODSP example. ODSP now pays for transportation to go to doctors' appointments. Many people with a mental illness don't go to health practitioners for their treatment. This is through, for example, the assertive community treatment teams. They may see a social worker. They may see a group home worker. They don't get their

transportation paid for. That's a barrier that affects people with one kind of disability, or maybe all, that we would see being removed and being covered by this. That's the type of lens we would want to look at the world through. For example, tax credits that you give to employers remove physical barriers: they should be applied to barriers that may face people with a mental illness as well.

There are a number of areas in which I think it's really important that our voices be heard and that people recognize they have the same obligation as they do to remove the physical barrier.

The Chair: On behalf of the committee, thank you very much for your presentation this morning.

This committee is recessed until 4 o'clock this afternoon.

The committee recessed from 1207 to 1610.

CANADIAN HEARING SOCIETY

The Chair: Good afternoon, everyone. If I can get your attention, we'll bring the standing committee on finance and economic affairs back to order. Our first presentation this afternoon is from the Canadian Hearing Society. I would ask the presenters to please identify yourselves for the record. On behalf of the committee, welcome. You have 20 minutes for your presentation this afternoon.

Mr David Allen: Good afternoon. My name is David Allen, and I'm the president and chief executive officer of the Canadian Hearing Society.

The Canadian Hearing Society is a non-profit charitable organization incorporated in 1940. We provide health and social services that enhance the independence of deaf, deafened and hard-of-hearing people, and we encourage prevention of hearing loss. The Canadian Hearing Society has 27 offices in Ontario. Ten per cent of the general population experiences hearing loss or deafness.

In general, the Canadian Hearing Society is pleased that the government is moving forward with Bill 125, the Ontarians with Disabilities Act. There is much that is valuable in this bill.

(1) Government ministries are required to develop annual accessibility plans to address the identification, removal and prevention of barriers for deaf, deafened and hard-of-hearing persons—this would encompass legislation, policies, programs, practices and services—and these accessibility plans will be made public.

(2) The Accessibility Directorate of Ontario and the Accessibility Advisory Council of Ontario are being established to advise government. These two organizations will be responsible for programming and partnerships and will develop a public education campaign to overcome attitudinal barriers.

(3) The bill encourages the active participation of various sectors in the creation of accessibility standards.

However, we have several concerns about specific wording in the bill, as well as the limited time frame in which it is being processed through the Legislature.

For the public consultation process to be accessible, deaf, deafened and hard-of-hearing consumers require more lead time to arrange support services such as sign language interpreters and real-time captioners. These support services enable deaf, deafened and hard-of-hearing people to prepare their submissions and presentations and to express their ideas in their own language or by a means accessible to them. Limited literacy levels mean that some consumers require more time to read and understand Bill 125.

The Canadian Hearing Society is a member of the consumer and agency group called the Ontarians with Disabilities Act Committee, or the ODA Committee. We wholeheartedly endorse the ODA Committee's submission on Bill 125. The recommendations we put forth in this presentation support those contained in position papers being sent to the standing committee on Bill 125 by the ODA Committee. For example, the ODA Committee is calling on government to make the following amendments: (1) assign a more significant role for the advisory council and a more effective mechanism for meaningful disability input into all standards to be made under the bill; (2) provide specific legislated time frames for the creation of effective regulations that will remove barriers across all sectors; (3) expand upon the enforcement mechanisms and mandatory barrier removal requirements beyond simply for parking violations under the Highway Traffic Act.

Our presentation today, however, will focus specifically on the needs of persons who are deaf, deafened and hard-of-hearing.

Bill 125 places far too much emphasis on building design and capital projects. The authors of the bill seem to have a limited perspective on the disabled community. Not all disabled people have mobility problems and use wheelchairs. For deaf, deafened and hard-of-hearing Ontarians, accessibility means the provision of human services like sign language interpreters and real-time captioners. In turn, the provision of human services requires setting standards for professional qualifications, service delivery models and the supply of resources. Currently, no such standards exist. Bill 125 needs to specify in more detail how the standards for qualifications, service delivery models and the supply of resources will be established and monitored. For Bill 125 to be silent on this issue is like having a health act that makes no mention of the College of Physicians and Surgeons and how health care will be delivered and funded, or like an Education Act that makes no reference to the Ontario College of Teachers and how education will be delivered and funded.

The needs of our consumers will get lost if left in the current general sections of Bill 125 under goods and services. Our consumers are not buying widgets or employing people from a large, unskilled labour pool.

Minister Cam Jackson has assured our consumers that standards for qualifications, service delivery and supply of resources will be developed later, if necessary, as regulations or guidelines, but our consumers are skeptical

that these regulations and guidelines will come to pass in a meaningful way. They point to landmark decisions such as the ruling of the Supreme Court of Canada in *Eldridge v British Columbia* guaranteeing accessible health care for disabled people. They point to the Canadian human rights settlement with the Tax Court of Canada in which the court established policies to ensure access for deaf and hard-of-hearing lawyers. They point to the Ontario Human Rights Commission's new Policy and Guidelines on Disability and the Duty to Accommodate. Regrettably, these landmark decisions have made little difference in the lives of our consumers because accessibility measures remain voluntary and violations must be fought through the courts on a time-consuming and costly case-by-case basis.

In particular, our consumers recall Bill 4, passed in 1993, that recognized American Sign Language and la langue des signes québécoise as official languages of instruction in the school system. Regulations for Bill 4 have yet to be written, so Bill 4 has made no difference in the lives of deaf, deafened and hard-of-hearing Ontarians. Our consumers worry that Bill 125 will go the same route: quickly passed, then quickly forgotten.

The wording in Bill 125 is filled with qualifiers such as "with regard to," "where technically feasible" and "guidelines are not regulations." Even the word "plan" in the phrase "accessibility plan" implies something that will not necessarily be implemented. In short, while Bill 125 is a step in the right direction, as it currently stands it has no teeth and no guarantee that it will move forward with meaningful regulations after it is enacted.

Gary Malkowski, director of external affairs at the Canadian Hearing Society, will now elaborate on the landmark rulings I referred to earlier as well as specific examples of how various ministries within the Ontario government have denied responsibility for providing deaf, deafened and hard-of-hearing Ontarians with access to essential publicly funded services. He will do this to make the point that it is naive and/or misleading for the Ontario government to suggest that the voluntary measures outlined in Bill 125 will make any difference in the lives of our consumers.

1620

Mr Gary Malkowski: Hello. I will have somebody read from my text. Here are highlights of the legal cases that David Allen referred to.

Supreme Court of Canada, October 1997: in *Eldridge v British Columbia*, the court ruled unanimously that deaf Canadians are entitled to equal access and equal benefit under the Human Rights Code. All services funded directly or indirectly by government must be equally accessible and of equal benefit to deaf, deafened and hard-of-hearing Canadians as they are to hearing Canadians. The principle that discrimination can accrue from a failure to take positive steps to ensure that disadvantaged groups benefit equally from services offered to the general public is accepted in the human rights field.

Tax Court of Canada, September 2000: in an out-of-court settlement, the Tax Court announced a landmark

policy that acknowledges and accepts responsibility for arranging and paying for accommodation for deaf, deafened and hard-of-hearing lawyers, articling students and any parties they represent. This policy also confirms that the needs of persons with disabilities must be accommodated if we are to ensure equal participation for everyone within our society. A fundamental human right is acknowledged with this policy: access to justice is not the exclusive prerogative of able-bodied Canadians but of all Canadians.

The Ontario Human Rights Commission's new Policy and Guidelines on Disability and the Duty to Accommodate, November 2000: accommodation with dignity is part of a broader principle, namely, that our society should be structured and designed for inclusiveness. This is to ensure equal participation for those who have experienced a disadvantage from society's benefits. The duty to accommodate persons with disabilities means accommodation must be provided in a manner that respects the dignity of the person, meets the individual's needs, promotes integration and full participation, and ensures confidentiality.

Despite these legal developments, violations of basic human rights are rampant throughout the Ontario government. Very few in the Ontario government accept responsibility for providing our consumers with access. For example, staff of Ontario Works and the Ontario disability support program continue to instruct deaf, deafened and hard-of-hearing consumers to arrange to have their own interpreters. Neither program will cover the cost of interpreters for consumers who need communication assistance to understand and complete the application process. Staff of provincial and municipal government offices are not sensitive to the needs of people with hearing loss and do not provide alternatives to voice mail and voice recordings of information at points of entry to services.

The Minister of Training, Colleges and Universities, Dianne Cunningham, in her letter of September 20, 2000, to CHS stated that her ministry "has no legal authority to require [private vocational] schools to provide sign language interpreters and real-time captioners, free of charge, to their students." This is a copy of that letter, and I've highlighted that statement.

A November 8, 2001, letter from the Ministry of Health and Long-Term Care regarding the Back on Track program for drivers convicted of drinking and driving stated that "no government money would go into funding the program." Deaf and hard-of-hearing consumers are responsible for the cost of sign language interpreters when attending the program. This is a copy of the letter I received from that ministry.

Deaf, deafened and hard-of-hearing consumers across Ontario continue to be denied access to MPPs' constituency and Queen's Park offices. Most of these offices do not have TTYs, nor do they provide sign language interpreters or real-time captioning for constituents who need these services in order to communicate with their elected representatives. Letters to the Speaker have raised these issues, but to date they have remained unresolved.

A Ministry of Education letter of September 6, 2001, advised CHS that the ministry is not responsible—and this is a copy of that letter—for setting standards for sign language interpreters or criteria for minimum qualifications of interpreters in elementary, secondary and post-secondary educational settings. Furthermore, the Ministry is not responsible for setting standards for sign language competency and communication skills for teachers of the deaf.

On November 26, 2001, the Divisional Court of the Ministry of the Attorney General failed to provide sign language interpreters for applicants and deaf and hard-of-hearing members of the public so they could follow the court's proceedings regarding the Ministry of Health's decision to delist audiological services from OHIP, which in itself discriminates against deaf, deafened and hard-of-hearing consumers.

CHS strongly endorses the need for establishing a strong and effective Ontarians with Disabilities Act immediately. However, our experience indicates that voluntary measures do not work. The legislation needs to have authority and be suitably funded so that the proper systems can be set up to monitor and enforce the legislation.

Bill 125 will clearly be inadequate unless amendments, as recommended by the ODA Committee, are made before third reading. Bill 125 falls significantly short of what is needed to remove and prevent barriers across Ontario.

The Ontarians with Disabilities Act must establish standards for provincial and municipal governments, the broader public sector and the private sector to end intentional or unintentional practices of discrimination against persons with disabilities, including children and seniors.

Mr Chair, I have copies of all those letters referred to in my presentation for your perusal.

The Chair: Thank you very much. That leaves about a minute per caucus. I'll start with Mr Martin for questions.

Mr Martin: That was quite a presentation and, in my view, quite a critique of not only the bill but the process we're using here to get this bill through.

You indicated that there are some things in the bill as it now stands that are worth supporting. If we don't see significant amendments to respond to some of the things you've put on the table here today, which frankly we've heard over the last couple of days out in Ottawa and Windsor—if those amendments aren't made and accepted, is this bill still worth supporting?

Mr Allen: We remain hopeful that amendments will be made. We're not recommending that the legislation be thrown out, but we are flagging the fact that as it stands, it is not going to be very effective. We're hopeful we can work with government in convincing them to make amendments.

Mr Galt: Thank you for your presentation. It's most interesting. I appreciate your comments: a step in the right direction, and concern about a little more time to get it right.

I'm curious. Mr Malkowski brought in a bill in 1994, it's my understanding. I'm wondering why the government of the day did not support his bill at that time.

Mr Allen: I don't think that's something for us to respond to here today. We're representing the Canadian Hearing Society. Gary Malkowski right now is an employee of the Canadian Hearing Society, so that is irrelevant to the discussion at this time.

Mr Galt: I was just curious.

Mr Parsons: One thing that has caused me great concern is that I've realized that in my community, among the deaf and hard-of-hearing there's about an 85% to 90% unemployment rate. I have met with young people, brilliant, hard-working young people, who have post-secondary education, a university degree, and they're unemployed—not unemployed because they didn't impress the people at the interview; they couldn't get an interview. They can't get into the interview. What needs to be in the act to solve what is a terrible, terrible waste of some talent?

Mr Malkowski: This is an obvious result of the repeal of the employment equity legislation. That has caused the critical level of unemployment that we're seeing in the province. We need, within this legislation, some amendment which will make sure we can improve the situation as it stands. We need to make sure there is strong enforcement, make sure there is accountability, make sure that students and recent graduates can manage to apply on a fair and equitable level for employment. Again, voluntary practices and voluntary measures will not help those youth receive employment. We need to make sure they can receive the accommodations they need to be able to get their foot in the door for the interviews. I think that that's where we can save that talent pool.

The Chair: Thank you very much. We've run out of time. On behalf of the committee, thank you very much for your presentation this afternoon.

1630

EASTER SEAL SOCIETY

The Chair: The next presentation is from the Easter Seal Society. I would ask the presenter or presenters to please come forward and state your name for the record. On behalf of the committee, welcome. You have 20 minutes for your presentation this afternoon.

Ms Charlotte Gibson: My name is Charlotte Gibson. I'm the president and CEO of the Easter Seal Society. Our commitment for almost 80 years: we've been helping over 20,000 children and young adults in the province of Ontario live with a physical disability in their striving for independence, acceptance and achievement. We've been helping these children and young adults by providing access to the tools they need. We're dedicated to helping them achieve their full individual potential and future independence. Easter Seals is about creating solutions and changing lives.

Let me begin by saying that we at the Easter Seal Society are very supportive of both the Ministry of Citi-

zanship and the process underway to bring Bill 125 into legislation. Easter Seals has enjoyed a positive and productive working relationship with the ministry and truly values this association.

In terms of the process, we understand and believe that the draft before us is a starting point. It is now time to gather input from stakeholders and make the necessary revisions so that the final document is the most meaningful, progressive legislation possible.

For almost 80 years, we've served Ontario's population of children, youth and young adults with physical disabilities, and it is with this dynamic population in mind that we ask questions today and submit recommendations for amendments to this bill.

Some of you may be aware that Easter Seals has undergone a significant transition over the past three years. We've literally changed the way we do business, and one of the keys to our success has been the development of district councils across the province. These community-based volunteer groups are the backbone of the Easter Seal Society. They raise dollars, awareness, and ensure that children, youth and young adults with physical disabilities are considered at every level within their own communities.

The advisory committee model proposed in Bill 125 is similar. Experience has taught us that these groups are only as strong as the individual volunteers. It is therefore essential that organizations within the disability community assume the responsibility of proposing qualified candidates. To this end, Easter Seals has already proposed two candidates for the provincial Accessibility Advisory Council that will ensure that children and youth with physical disabilities have a voice. Our hope is that the provincial and municipal governments will give serious consideration to such recommendations and ensure a balanced representation on the Accessibility Advisory Council and on each advisory committee.

We have also learned that these committees don't develop overnight. In our first year of this process, Easter Seals chartered nine councils. In 2001, an additional 20 have been chartered. We project 30 new councils in 2002 and over 80 at the end of five years. It is a building process, and while certainly achievable, expectations must be managed, as it will take several years to develop effective advisory committees across Ontario.

Easter Seals strongly supports this community-based approach. Our staff and volunteers are ready and willing to act as a resource and provide assistance in the development of advisory committees in their communities.

With regard to areas for improvement, we see four main issues that must be considered for this legislation to have meaning for children, youth and young adults with physical disabilities. In establishing our position, we garnered input from youth and young adults with physical disabilities, as well as Easter Seals parents.

The first issue is demographics. Baby boomers have the political clout and knowledge to advocate for what they want. As they age, their demand for government and community supports will increase substantially. Parents

of children with special needs have limited networks, limited resources and limited energy to lobby for what their children need. Understanding that the proposed legislation addresses all persons with disabilities, what safeguards will be put in place to ensure that the needs of children will not be overshadowed by the increasing needs of adults?

The second issue we see is that of education. Each school is a community unto itself and the focus of its students' lives. To participate fully, each student must have full access to their school and all of its programs, curricular and extra-curricular. Without addressing barriers that exist in schools today—physical, attitudinal and program—this legislation will have little meaning to children and youth with physical disabilities. The legislation makes specific reference to the requirement for school boards to submit annual accessibility plans. Will consideration be given to the funding required to retrofit schools as an outcome of this bill?

The third issue is one of transition to post-secondary education and/or employment. While most students make post-secondary education decisions based on the quality of the program, students with disabilities are forced to make choices based on accessibility and availability of supports. Similarly, people with disabilities are often forced to settle for an employment opportunity that can accommodate their needs instead of pursuing the career they desire. If they cannot access the full range of educational programs or gain meaningful employment experience that will advance their careers, how can they compete with people who can?

Transition issues involving community involvement: children, youth and young adults with physical disabilities must have access to a full range of activities within their own communities, from recreation to grocery shopping to health supports. As they move to increase their independence, necessary modifications to homes and vehicles become essential. Our hope is that one outcome of Bill 125 will be access to government funding programs such as home and vehicle modification for parents of children with physical disabilities.

The final issue is one of transportation. We've kept our issues focused on the issues that face the Easter Seal Society and the children and young adults whom we support. Transportation is one of the most frustrating issues facing people with disabilities on a daily basis. It severely limits their ability to function within the community. Present options require long-term planning, which makes spontaneous decision-making impossible. For example, our two youth spokespeople who were to be present today were unable to make transportation arrangements on short notice. They have therefore missed the opportunity to be heard. While we may have been able to make special arrangements, this is the everyday reality for people with disabilities. Frustrations that are considerable within urban centres can increase substantially in rural communities.

Considering the issues raised today, it is clear that the most significant gap in the proposed legislation is the

removal of existing barriers, both physical and attitudinal. While the prevention of new barriers is important, it is the existing barriers that impact the lives of children, youth and young adults with disabilities today.

In closing, Easter Seals acknowledges and appreciates the government's integrity and commitment to improving opportunities for people with disabilities. However, society is governed by legislation, not intent. We hope that the questions, concerns and recommendations expressed throughout the hearing process will be given serious consideration, and we look forward to reviewing an amended Bill 125.

1640

The Chair: We have approximately three minutes per caucus. I'll start with the government side.

Mr Spina: Thank you, Ms Gibson, for your presentation. The opposition asks this question; we ask this question. It's not intended to be political in nature, so I'm trying not to make it sound that way. The question that has been asked is, is this bill worth putting through now or should we run the risk of delaying it for the purpose of making it that much better? I guess what I'm asking is, are we running the risk of losing at least a beginning to getting a bill out into the field, into the marketplace to assist these people?

Ms Gibson: We would endorse the bill going through now and working to improve it. We need a base. We've been too long with nothing.

Mr Spina: OK. The government, as well as opposition members and the delegations that have come to see us, have brought forward some general and some very specific amendments to strengthen the bill. We fully acknowledge that. There is also an opportunity over the next few months, if we are able to get the bill through, to define some of the implementation procedures—the timelines and so forth—through the regulation process. The minister has assured us that there will be some consultation with stakeholders—in other words, truly the disabled community—in the process of implementing those regulations. Is that acceptable?

Ms Gibson: I know we have a strong community of young adults who are ready, willing and able to be heard and make recommendations. My feeling is that we have the community that is not going to stop with an inadequate bill.

Mr Parsons: I appreciate your presentation. It has struck me, though, that if there's any group we should be listening to in these hearings it's people like the two young people you indicated who couldn't make it here today. So in fact rushing this through has created a barrier to people in the disabled community to come and talk with us.

Your presentation is a little bit different from some of the others who have come to us, so I have to ask you, because I'm sure you debated it. In your suggested amendments, there was no reference to involving the private sector, to extend it to cover the private sector. Can I ask why or what the consideration was?

Ms Gibson: Possibly because we support children up to the age of 18, 19, but at the age of 19 they really move under the auspices of the March of Dimes. So in terms of the private sector, we're really dealing with children. We are talking about transition programs in terms of transitioning into the employment market, but we're already working in that area. I'm not sure if that answers your question.

Mr Parsons: It confuses me a little bit, because as foster parents we have fostered children who have been involved with your organization. We have wanted to take them to restaurants, we've wanted to travel and use hotel rooms, we've wanted to go into the mall, we've wanted to go to doctors' offices. Although they were under 18, they needed to have involvement with—I'm intrigued even more by your response, because although they're under 18, they still need access to services and to quality of life.

Ms Gibson: Correct. I guess my response would be that you have to start somewhere. This is just a beginning point and I'm willing to accept it as a beginning point, definitely not as a refined bill or a bill that will stand the test of time but one that definitely needs input. As I mentioned very early in my presentation, in terms of developing district councils across the province, we were faced with exactly the same rough vision that needed refinement, but I look to stakeholders right across the province for input into the bill to gain that refined vision.

Mr Martin: Just to follow up somewhat on that line of questioning, we had a group yesterday in Windsor who suggested that if we pass this bill as it is, it takes away some of the protections the disabled now have under the Ontario Human Rights Commission, for example. This was a legal clinic out of the Windsor-Essex area that suggested that. We're looking into that, and it may be something you might want to consider in terms of your support of this bill as it stands now.

I want to comment and ask a question on a couple of other things. Some of the stuff you focused on was an issue of funding: schools and the resources they need to make sure every child has access to special education resources, some of the vehicle and home modification. We're talking money. It seems to me—and maybe you could respond to this—that some of the reticence on the part of the government in terms of this bill not to put in stuff that is tough in terms of timelines and enforcement and that kind of thing is that it's going to cost money. You can't do this without it costing money. Without doing this bill at all, the government has within its purview to spend the money that is needed to make sure some of these folks get what they need to be all they can be and to participate. But they've chosen another priority, which is to give tax breaks to corporations and other individuals. What would your recommendation be to this government if you're really serious about what you put on the table here today, which is around the question of funding?

Ms Gibson: The funding is needed. I'm not sure that I'm going to give you a really good answer on either/or.

Yes, you're right, I did focus a lot on funding: funding within the education sector, home renovation and vehicle modification. That funding is available for adults with disabilities. I'm not sure if you're aware that it's not available for children with disabilities.

Mr Martin: You've made us aware today. What you're saying is that we need resources. This bill is not going to be effective unless we have the resources to make sure that kind of facility is available to the children.

Ms Gibson: My hope is that the advisory councils across the province, in addition to the district councils that the Easter Seal Society and many other organizations have that are province-wide, will raise awareness of the need for funding not just for children but for all persons with disabilities. I think the key is that we need to raise awareness within each and every community, because people want to be serviced within their community. They don't want to have to move to a larger centre because those opportunities are there and not within their community.

The Chair: With that, we've run out of time. On behalf of the committee, thank you very much for your presentation this afternoon.

CITY OF TORONTO COMMUNITY ADVISORY COMMITTEE ON DISABILITY ISSUES

The Chair: The next presentation is from the City of Toronto Community Advisory Committee on Disability Issues. I would ask the presenters to please come forward and state your names for the record. On behalf of the committee, welcome. You have 20 minutes for your presentation.

1650

Mr Joe Mihevc: Thank you very much, Mr Chair. My name is Joe Mihevc. I'm a city councillor for ward 21, St Paul's, of the city of Toronto. I have the pleasure of being one of the co-chairs of the City of Toronto Community Advisory Committee on Disability Issues.

Attending with me are Janice Martin, the community co-chair; Roger Roberts of the city's Community Advisory Committee on Disability Issues; and three staff people, Ceta Ramkhalawansingh, Tim Rees and Catherine Leitch. Others from the committee itself also wanted to come, but the short notice prevented them from getting the accessible transportation that they need. We only found out about our ability to speak to the committee yesterday.

On behalf of the committee and on behalf of Toronto city council, I thank you for the opportunity to respond to Bill 125, the Ontarians with Disabilities Act. A full copy of this submission is before you.

The city of Toronto is particularly concerned about a strong and effective Ontarians with Disabilities Act, because a disproportionate number of persons with disabilities live in Toronto. While an estimated 17% of people living in Ontario have some form of disability,

estimates of up to 45% of that total reside in this city, Toronto.

The city of Toronto has a strong foundation of commitment to addressing the needs of persons with disabilities. The city, in both policy and practice, believes in an inclusive, accessible and equitable society. Reflecting these commitments, the council of the city of Toronto unanimously passed a motion in March 2001 that any legislation applying to the prevention and removal of barriers for Ontarians with disabilities be mandatory and applied to all sectors, public, private and non-profit. A further motion in November 2001, unanimously adopted by city council, reiterated this commitment to make Toronto a truly barrier-free city by 2008 and again reiterated the call for a strong, effective and mandatory Ontarians with Disabilities Act.

Does this bill before you achieve this? No, it does not. In fact, the city of Toronto is very disappointed with the bill in its current form. Having waited so long, so many years, for a strong and effective Ontarians with Disabilities Act, the disabled community has been failed by what appears to be little more than a disabled parking fines act. Ensuring accessible parking is no substitute to dismantling physical and attitudinal barriers in education, communications, housing and the workplace.

It is somewhat ironic that this week, when we recognize the United Nations International Day of Disabled Persons, proclaimed to reinforce the commitment to improve the integration of persons with disabilities into the wider society and to celebrate achievements in advancing the rights of persons with disabilities, the Ontario government is trying to push through with undue haste a long-promised but really hollow and toothless Ontarians with Disabilities Act.

With an estimated 45% of the 1.6 million Ontarians with disabilities living in Toronto, the establishment of a strong and effective act is clearly of direct interest and concern to the city of Toronto. Of any institution most affected by this bill, it is the city of Toronto.

Because of the barriers they face, persons with disabilities are too often forced into poverty, unemployment and social isolation. As a community and as a society we cannot tolerate this. We must ensure that persons with disabilities can exercise their civil, political, social and cultural rights on an equal basis with other persons.

In 1990, in the United States, the former Bush administration passed the Americans with Disabilities Act. It established a series of deadlines for changes in both the public and private sectors. It also stipulated fines for those who didn't measure up. It is an act that is working.

Why should we have to be embarrassed by a provincial government that refuses to learn from this experience, that refuses to establish mandatory—keyword “mandatory”—requirements, that refuses to establish timelines for accomplishing anything and refuses to establish mechanisms for enforcing anything?

The government of Ontario first promised an Ontarians with Disabilities Act in 1995. An earlier bill, Bill 83, was introduced in 1998 and was withdrawn after wide-

spread criticism that it failed to apply to all sectors, impose mandatory requirements, establish enforcement mechanisms and, lastly, provide timelines.

Other than requiring provincially legislated public sector agencies to develop accessibility plans and establish advisory committees, the same weakness can generally be applied to this bill. In other words, the city of Toronto finds both the intent and the content of the bill to be so modest as to prove unacceptable. The purpose is to merely "improve opportunities for persons with disabilities and to provide for their involvement in the identification, removal and prevention of barriers to their full participation." The purpose of this bill, therefore, needs to be far more emphatic, purposeful, achievable and enforceable. The provisions of the bill as it now stands do not begin to actually provide protection and removal of barriers to persons with disabilities. It merely creates structured processes by which something may happen in the future.

Promised since 1995, we are not happy at this point in time with how little is in this bill. The bill does not cover the removal and prevention of barriers in all aspects of life, nor does it even begin to detail in any holistic fashion the roles and responsibilities of the public sector, let alone the private or voluntary sectors, and its role as an employer, a service provider, a regulator, a purchaser of services and goods or a provider of grants. The bill fails to provide the necessary leadership that would encourage, support and strengthen the commitment and efforts of other institutional sectors, including the city of Toronto and other municipalities, in addressing the needs of the disabled community.

Let me give you some examples. The Minister of Citizenship has suggested that the bill puts persons with disabilities in the driver's seat through the establishment of a new Accessibility Advisory Council of Ontario and municipal and other public agency advisory committees. While the democratic opportunity structures, as they're called, are an important mechanism of citizen input, I think the minister has an overly optimistic expectation that such advisory groups are in a position to direct, monitor, control or attain a barrier-free society. Imposing the onus on the disability community itself to achieve change is an unfair burden and a false expectation.

The major thrust of the bill's provisions focuses on barriers faced by persons with physical disabilities, particularly as they pertain to the design of new, newly acquired or leased government buildings. The bill requires that they meet the standards of the 1992 Building Code Act. Given that these standards already exist, these provisions in the bill would therefore seem to be redundant. In addition, the disability community has expressed concerns for some time that the requirements of the building code are themselves minimal and need to be considerably strengthened.

In addition to strengthening the accessibility requirements of the Ontario Building Code Act, it is also recommended that subsection 15.1(3) of the act be amended to authorize municipal authorities to pass bylaws pre-

scribing standards for accessibility requirements for persons with disabilities.

To conclude, in summary this is a hollow, weak and ineffective bill. Substantial amendments are required to address the needs of the disability community, to address the needs of the city of Toronto and even to address and meet the Ontario government's own shared vision and goal. As a member of the city's Community Advisory Committee on Disability Issues commented, this bill is an empty truck. To have any meaning and purpose, we have to fill it up with boxes.

As this piece of legislation presently reads, one worries that the major responsibilities for ensuring the rights of persons with disabilities to equal treatment and equal opportunity are being downloaded by the province to the disabled community itself and to organizations like municipalities, which simply do not have the financial capacity to implement the necessary change as effectively and as quickly as they would like.

Rather than being such a begrudging, limited and long-delayed bill, this should be seen as a positive opportunity to achieve a barrier-free society. Let us use this opportunity to embrace in unequivocal terms the inclusion of people with disabilities as fully participating members of our society.

1700

The Chair: We have approximately two minutes per caucus, and I'll start with the official opposition.

Mr Parsons: I appreciate your presentation. There is a misconception in the public that this bill applies to the 1.6 million Ontarians with disabilities. My experience has shown, though, that it applies to everyone. We have a friend in a wheelchair, and there are some restaurants that have no table to accommodate him, so none of us go to those restaurants, and we lose that experience. There are certain theatre productions and that, which, because my wife cannot hear, none of us go to. So it affects everyone, and it affects everyone in Toronto.

If the government chooses to use its majority and does not pass any amendments, what does the bill as it stands do to improve the quality of life for the citizens of Toronto?

Mr Mihevc: In its current form, I would say it does practically nothing other than increase the fines for parking in spaces where there are disabled parking signs. My own view is that if the bill goes forward unchanged, I'd rather kill the bill than let it go forward in its present form. I think at least it would be very clear out there to the Ontario public that we don't see disability issues as something that is mandatory and something that needs to be enforced.

I think it would just give more credence to the argument that a shell game is being played. People have waited so long; the disabled community has waited so long for this bill and has worked so hard to get it to this point. If it doesn't have any teeth, at least from the point of view of our committee—we had a long debate on this last week, and this included people with hearing impairments, sight impairments, people in wheelchairs etc, and

the overwhelming feeling was that it's better to start from scratch than to pretend we have an Ontarians with Disabilities Act in place when we really don't.

Mr Martin: Just to follow up on that, you may have heard earlier that we had a group before us yesterday in Windsor who suggested that it's even worse, that this bill in fact removes stuff that's already in the Human Rights Code, and if something isn't done, then the disabled will be even worse off with this act. We had a very eloquent woman before us this morning, Anna Germain, who suggested that Bill 125 is inadequate, it's an offence and a potential injury. She said, "Please withdraw it. We're all better off with nothing. Please scrap this awful bill and let the next government treat it with the respect that all people deserve. It's better not to have an ODA rather than this mangled and gutted bill." Does that reflect the sentiment of your committee?

Mr Mihevc: Absolutely it does. As I mentioned in answering the last question, we met last week. We had a copy of the bill before us, and we did go through it. These are not folks who are politically charged. They just want an effective Ontarians with Disabilities Act. Certainly, with all the hoopla leading to the announcement of the bill, for the first week people took it in and tried to read it and give it its best face. They really did try to see that this had some weight and some meaning to it. But then, I think, as people read it, integrated it and asked, "OK, what does this actually mean on the ground in the day-to-day life of people with disabilities?" they found that it really was a toothless tiger.

What it's actually done is have the reverse effect. Rather than building on that initial excitement that finally something had come forward, now people are starting to feel more and more angry. I'm an able-bodied person, but at least the disability community that is in touch with the city of Toronto is saying, "This just doesn't cut it." There's a growing sense of pessimism and even anger that they're being used in this process. That's the honest truth.

The Chair: I have to go to the government side. Mr Spina.

Mr Spina: Thank you, Mr Mihevc and company, for joining us. You clearly state that if the bill was to go through without any amendments, don't bother. Am I understanding that correctly?

Mr Mihevc: That's correct.

Mr Spina: OK. I know there are a myriad of items that have been brought forward. If you were to choose three general elements—the top three, not just three—that in your opinion or on behalf of the community would in fact strengthen this bill, what would they be?

Mr Mihevc: One, I would make it mandatory for public, private and not-for-profit sectors. No institution, public, private or not-for-profit, could get off the hook and not put in place an accessibility plan appropriate to that institution. So, one, it has to be mandatory.

Two, there have to be timelines. There has to be a sense that we are moving in the right direction, and that by such-and-such date, something will be in place so that

we can say, "At such-and-such date, Ontario is a barrier-free province, a barrier-free society."

Three, there has to be some money put into this. We have the support, for example, of Tourism Toronto. We're there doing niche marketing around people with disabilities. You have two people with disabilities who can't get into a particular hotel; that hotel loses out to Seattle. It doesn't make business sense. The business community in Toronto is starting to see that, and they regularly send a representative to the Toronto committee. So a little bit of investment, a little bit of education and push from the provincial government to allow the private sector and the public sector to initiate and actually carry out these plans, I would say, is the third priority.

So mandatory, timelines, and you've got to throw some money at this.

The Chair: On behalf of the committee, thank you very much for your presentation this afternoon.

TORONTO POLICE SERVICE

The Chair: Our next presentation is from the Toronto Police Service. I would ask the presenter or presenters to please come forward. Could you state your name for the record, and on behalf of the committee, you have 14 minutes for the presentation.

Mr Brian Keown: Thank you very much, Mr Chair and members of the committee, for allowing the Toronto Police Service an opportunity to come and speak to this bill, the Ontarians with Disabilities Act.

We've heard it referred to as a disabled parking bill. I think we do a great disservice to this piece of legislation to deal with it just as a parking bill. One of the things that I think is very important for us to recognize for persons with a disability is that we need to look, first of all—and I will be speaking specifically to the issues of the disabled parking—but we need to look at disabled parking. It's not about vehicle warehousing. It's not about just parking vehicles. It's actually about barrier-free access. It's about allowing people with disabilities the opportunity to fully participate in the community. If we recognize parking as an integral part of the overall trip chain, then we'll recognize the importance that it plays in the life of a person with a disability. We can design policies, we can identify barriers, we can do everything we can to fix the bricks-and-mortar issues, and we can look at changing attitudinal barriers, but if we can't get people to the curb, it's all for naught. So it does play a very, very important role in what this legislation is trying to do.

Having said that, you've heard some indication here today about the percentage of the population—17% to 20% is a consensus as to the number of people in the Toronto area—with disabilities. We recognize also that the percentage of persons with a disability is that much higher in the Toronto area because of the good services, education and employment opportunities that are available to persons with a disability.

We formed a disabled liaison unit in response to the needs in the community. The Toronto Police Service put

it in place and it became operational in February 2000. One of the first things that we did as the disabled liaison unit working on behalf of the Toronto Police Service was to invite stakeholders from the community—that was persons with disabilities, various branches of the government—to come together and work in partnership to help identify some of the problems that are impacting on people with disabilities in the community. The message that came through loud and clear very quickly was the problems that were associated with the disabled parking.

The disabled parking basically breaks down into two key issues. There are the marked, designated disabled parking spaces, which are governed by municipal bylaws, and then there are the issues with respect to the use of the disabled person parking permit, and that is governed by the Ministry of Transportation and the Highway Traffic Act.

1710

This act here today, this Bill 125 that's coming forward, has taken two key pieces of that puzzle. With municipal parking, there are amendments to the Municipal Act that will see set fines for the offence of parking illegally raised to a minimum of \$300 in municipalities that have disabled bylaws. That's just one very important piece of the puzzle. The other part of the puzzle is maintaining the integrity of the disabled person parking permit program. Those are the little placards you see that are issued by the province to people with disabilities.

There is a host of problems with that system, but part of the problem is there is an apparent lack of integrity in the system. The system was put in place in the late 1980s, when there was a lack of digital technology. It was available to high-end print shops etc, but to the average person, the day-to-day user, the technology wasn't available. A lot has changed and I would have to applaud the government for recognizing in this legislation that they're trying to restore some of the integrity to the disabled permit program. What's being proposed here isn't going to do it in its entirety. There's an education component needed and there are components needed in restoring integrity in terms of document protection and anti-counterfeiting measures.

But what we're dealing with here today as proposed in this legislation is a good start. What it's going to propose with amendments to the Highway Traffic Act is it has recognized the amount of rampant abuse that's out there with photocopies, illegal reproductions and people loaning permits, so there are amendments to the Highway Traffic Act that set out offences for those. It has also recognized the seriousness of the offence in that it has raised the minimum fines, which will go from, I believe, \$60 now to \$300 and it will raise the maximum for the misuse of a disabled permit up to \$5,000.

I've heard a lot of people, and we've had calls—it gets their attention really quickly: \$5,000 for a disabled parking fine. But when you start to consider the amount of money that's involved—and I'll give you an example in downtown Toronto. At the Royal Bank Plaza it's \$28 per day to park. We have a lot of abuse in the downtown

core. These are people abusing permits, buying them on the black market, using them and parking their vehicles in downtown Toronto. They're saving in excess of \$500 per month, after-tax dollars. If you take that on the life of a permit and you're saving \$6,000 a year over five years of parking—the life of a permit—you could stand to save over \$30,000, after-tax dollars. It's the equivalent of the cost of a car. You can see there's a great financial incentive.

Typically, what we're seeing when we go to court are fines in the range of \$50 to \$100. It's a lot of work. A lot of time and energy is spent investigating these matters and, quite frankly, to go into court and get a \$100 fine at the end of the day is just a cost of doing business. So again, I have to applaud the government for recognizing this and at least putting some teeth into the legislation that will deal with the misuse of disabled permits and the designated disabled parking spots.

We've heard a lot of discussions. I'm not in a position to talk about the other aspects of the ODA. One thing I will comment on is that I like to look at things and see them as opportunities. I believe we have an opportunity here. We've put forward the disabled liaison unit, the steering committee comprised of community volunteers, and we've looked at this as an opportunity that if the fines are going to go to \$300 in the municipalities specifically for parking illegally in disabled spots, then we take that and put a proposal forward and append it to the submission. What it proposes is that we create a barrier-free and access awareness fund for the city of Toronto. It would collect monies from those fines that would be levied to go toward access and awareness programs in the city of Toronto to help identify and remove barriers. Based on figures of enforcement over the past three years, it averaged about 5,000 parking tags per year, and at \$300, it worked out to an income stream of about \$1.5 million.

The reason I wish to share this with the committee is that if we take the mindset that instead of always looking punitively in terms of compliance, we look at rewards, here's an opportunity now for the city to develop an income stream based on offenders that's no different from what's in place currently under the Provincial Offences Act, the victim fine surcharge you see with HTA offences. This would apply to the municipalities, and it's an opportunity for them to basically achieve two things. It's a fine that's in place that will act as a deterrent to those offending, but also, for those who do offend, their money is not just going into general coffers but in fact will go to promoting awareness and access for the people with disabilities who are, of course, displaced when people park in these positions.

In closing, I would do a disservice to this issue if I were to come down and say it's a Toronto-centric kind of universe or a Toronto-centric problem. It's not, in fact; it's a province-wide problem. Part of the problem we've seen with barrier-free access is that there's a certain familiarity in smaller communities, so we're not getting complaints about the barrier-free access because often-

times, by ways and means, people are looked after in the smaller communities. But what we are finding in smaller communities is that for people who have been issued permits, a lot are being stolen from these people—they become victims—and the permits in fact are being used in downtown Toronto. That is not uncommon.

So I would suggest to the committee that this problem is province-wide, that the initiatives that are being put in place will help maintain the integrity of the provincial system and that the parking fines—it may be considered at first thought that \$300 is fairly steep—are in keeping with other jurisdictions stateside. Quite frankly, this is good legislation. It's going to set the pace. It's good for now, 2002, and I think it's very good for what we can have in the future, because by the year 2010, my understanding is that the population of seniors in the province will practically double within the next eight years. So it's good that we tool up now and look toward the future.

The Chair: We have approximately two minutes per caucus.

Mr Martin: It indeed is a more complicated issue than I would guess at first blush: just simply increase the fine and everything's going to be fine. You've made some reference to some of the other attendant concerns that are out there.

It seems to me that this piece of this act, and maybe you can let me know, would be dealt with better as a bill coming out of the Solicitor General's office. For one thing, enforcement is a problem, and if I'm correct, we have fewer police officers out there now than we've had, and that complicates the issue. This kind of thing, when you consider everything else, has a tendency to have a lower priority where police forces are concerned, so I'm told by disabled folks. In fact, whether simply raising the fine or not is going to do the whole thing is also beyond me.

Having said that, I guess the question is, is this an issue that perhaps should be stand-alone and should be dealt with more appropriately out of the Solicitor General's bailiwick?

Mr Keown: My answer to the committee on that question is, the perspective I've seen that has come out of this bill is they've recognized disabled parking and this component of it as a barrier-free access and a human rights issue. So I would have to argue that it's not inappropriate that it's being dealt with in this bill in that they've recognized, like I said, that as a human rights, barrier-free access issue, it's not inappropriate; as an enforcement issue strictly, it could be argued that perhaps it should be done by the Solicitor General.

I will report to the committee that, as we speak, there are other initiatives ongoing concurrently with the Ministry of Transportation. We are also working with the Ministry of Municipal Affairs and the Ministry of Citizenship on other matters that are relevant to the disabled permit program. So this part of it with respect to fines, this part with respect to the permits and the creation of the extra offences, I think, as being included in the ODA, is an important part of helping achieve it. If the goals are

to identify and eliminate barriers in the province, then I see this has a certain natural affinity.

1720

Mr Spina: One of the elements that has been brought forward has to do with enforcement. If amendments were brought forward that would make various things mandatory in one way, shape or form, or timelines were put into place for compliance, one of the concerns that has been expressed to us is the element of enforcement. From your perspective, would a bylaw enforcement unit be sufficient to be able to enforce that sort of thing or would you need another special type of body?

Mr Keown: Just so I'm clear on your question, are you talking with respect to the disabled parking or are you talking with respect to compliance issues in terms of identifying barrier-free access?

Mr Spina: In the broader scale; in the broader spectrum. Clearly, I think you've identified that with the parking issue, police officers and the bylaw enforcement unit can do it now. But if we expanded the enforcement of compliance to be other elements of enforcement, do you think they would be able to handle that? I guess that's the real question.

Mr Keown: I don't know if it would be appropriate for law enforcement agencies to be getting into the jurisdiction of human rights. I think there are places and mechanisms in place, such as the Ontario Human Rights Commission, to look at some of these issues. If you look at the five key areas of service delivery for policing, whether it be crime prevention, law enforcement, victim assistance, public order maintenance or emergency response, in any of those key areas I really can't see where you would have, in terms of policing, this type of legislation when it goes out. If you look at the city of Toronto as an example, they have their own property standards, and they go out and look at the bylaw issues with respect to property. That may be a more appropriate branch, as opposed to a policing service.

Mr Gerry Phillips (Scarborough-Agincourt): Thank you, Sergeant. Brian and I go back 25 years, we coached hockey together for 20 years, so he's a long-standing friend. He not only knows this area but he's the expert on youth gangs on the Toronto Police Service, so he's someone who really understands a lot of different issues. I'm glad to see you here today.

In terms of the response, was this proposal for the use of the fines discussed with the city of Toronto? Did you have a chance to take it to council there, and did they express any views on it?

Mr Keown: Not as yet. If you notice on the document, it's a draft proposal for discussion purposes. We're looking at feasibility. It has also been down to the disabled advisory committee to look at the issue. Our next step: we'll be going to council, through our police services board, to look for the feasibility and implementation that will be done.

Mr Phillips: In terms of the integrity of the stickers—and you point out the immensity of the problem—in your mind, does the bill provide the sorts of steps that will

allow the system to be relatively foolproof in terms of preventing counterfeit and identifying stolen permits?

Mr Keown: No. The reason I say that, and I'll have to qualify that, is that this is done right at the very back end. This legislation deals with the back end of the enforcement. From what I see here, it's not intended that it will cure the problems with respect to the misuse of disabled permits. What it will do is allow us, at the end of an investigation, to have something with a little more teeth in it at the adjudication process.

What is going on right now, concurrently, with both the Ministry of Transportation and the Ministry of Municipal Affairs and Housing, is that the document protection issues are being looked at. A person has come forward from the community, through a contact at City-TV, who has offered to the province the anti-counterfeiting measures that could be implemented into this document, and they're better than currency grade. That's being worked on. So there are other issues; you're absolutely right.

There are other issues also with respect to permit issuance, but these are all ongoing. The province did commit, back in the fall of 2000, to do a full review of the disabled persons parking permit program, so that is ongoing. But this part here with respect to the fines and the addition of these extra offences gives us a little bit of extra teeth at the enforcement end, which is ongoing now.

The Chair: On behalf of the committee, thank you very much for your presentation this afternoon.

LEARNING OPPORTUNITIES TASK FORCE

The Chair: Our next presentation is from the Learning Disabilities Association of Ontario. I would ask the presenter to please come forward and state your name for the record. On behalf of the committee, welcome. You have 20 minutes for your presentation this afternoon.

Ms Eva Nichols: Actually, my presentation this afternoon is not on behalf of the Learning Disabilities Association of Ontario, although I do quite a bit of work for them, but instead on behalf of the Learning Opportunities Task Force, which is a government initiative to support people with learning disabilities. We work very closely with the Learning Disabilities Association but you will be hearing from them tomorrow morning at 9 o'clock.

My name is Eva Nichols. I have been working in the field of learning disabilities for the past 18 years, for the Learning Disabilities Association and in a number of other areas, but today I would like to speak on behalf of the Learning Opportunities Task Force.

This is an initiative that was established by the government of Ontario in the 1997 budget, essentially to improve the situation of students with learning disabilities within the post-secondary education sector. We proceeded with this by establishing some pilot projects, and we currently have 10 institutions in the province that run special programs for students with learning disabilities.

Regrettably, I'm in the uncomfortable situation of being funded by the government but coming here to

suggest to the government, very respectfully, that this bill simply does not do anything very much or anything very useful for people with learning disabilities. I recognize that many of you perhaps are not as aware of learning disabilities as you are of other more obvious and more visible disabilities, but in fact the population I work with and represent is the single, largest group of people with disabilities, albeit their disability is invisible so you can't simply pick them out in a group of people. But when you look at the educational system, both elementary and secondary, or the post-secondary, more than 50% of the students who are participating in these are students with learning disabilities.

When the previous versions of the Ontarians with Disabilities Act were tabled, we expressed our expectations of an Ontarians with Disabilities Act and we talked about the fact that we were looking to have an elimination of barriers to full participation for people with learning disabilities; a recognition of all disability groups and their diverse needs; access to not just physical but also financial program and service delivery issues; mandatory compliance within the public and the private sector; accountability; and both incentives and penalties for compliance and implementation.

What we have here is a bill which focuses almost exclusively on physical access. I would not like to suggest for a second that that isn't very important or that in some way you should eliminate that part of it. I merely want to express to you that for the kinds of people I work with, physical access is simply not enough.

1730

There is nothing mandatory in this act other than the writing of plans. There is no real accountability. There are no incentives or penalties. In fact, we are really afraid that the requirement for developing plans without timelines and without accountability components will simply result in service dollars being spent on writing plans, either individually or jointly, but not necessarily resulting in any changes whatsoever. This is particularly true for organizations like school boards, colleges and universities.

Those of you who have been involved with the Legislature for a long time will recall that in 1992 there was a report of an interministerial working group that had been looking at the situation of people with learning disabilities in Ontario. At that time it was identified, and this was a government report, that the government of Ontario discriminates significantly against people with learning disabilities and that inequality was the current reality for persons with learning disabilities in Ontario in 1992. Regrettably, some of that has not changed. Yes, we have the Learning Opportunities Task Force and we are learning a tremendous amount about how we can improve situations in the post-secondary system. We have high hopes that the government will in fact implement our recommendations when they are finally tabled in full.

But there were two significant access issues identified for people with learning disabilities in 1992, neither of which has been addressed so far and which this current

Ontarians with Disabilities Act still doesn't address. The first one and probably the more important is the issue of assessments. If you don't have a decent assessment diagnosing the learning disability and recommending the programming, service and accommodations that these individuals need, then they are simply not going to be successful. Learning disabilities are still the only disability area where any of the health insurance plans simply don't cover assessments, because it is psychologists who diagnose learning disabilities and not medical practitioners.

Most private sector benefits have cut back on their support for psychological assessments. While the school boards certainly do assessments, the recent changes to the funding formula have really meant that they are essentially diagnosing for the greatest amount of dollars that they can get, so in many cases students with learning disabilities are left out. Our pilot projects over the last four years have shown that over 85% of students arrive at college or university with inadequate or inappropriate documentation or diagnostic information.

There are ways of paying for an assessment, of course, in a college or university system. There is the bursary for students with disabilities. In fact, this last year the federal government finally allowed a special dispensation that the bursary could be utilized for learning disability assessments. However, here in Ontario it is still tied totally to being eligible for the Ontario student assistance program, and in practice that means that the majority of students who arrive at college or university with inappropriate documentation, inappropriate assessment, also can't access the bursary, which is a taxable benefit, so really they should be able to. Because the learning disability cannot be seen, more than any other group of people with disabilities, people with learning disabilities are frequently faced with demands for reverification to prove that they still have the disability with which they were born and which they will have till the end of their lives.

The other issue that is almost as important is the fact that in the 1992 report, it was identified that the assistive devices program of the Ministry of Healthy by policy has excluded and continues to exclude people with learning disabilities. If you have any other kind of disability, you can have access to assistive devices—maybe not enough, maybe not right, but you can have that access. For people with learning disabilities, that doesn't exist. The school board funding for adaptive technology and assistive devices only funds equipment that can be used in the school. The students can't take it home and therefore simply can't utilize it. This has a major impact for education but it also has an impact for employment. There are many people who will say that if you have to have a learning disability, this is a good time to have a learning disability because we have such wonderful technology. It really is too bad that so many people don't have access to it because they can't purchase it through a bursary and they are not eligible for the assistive devices program.

In the brief I distributed to you I have actually made some very specific recommendations on behalf of the

task force about sections of the bill, but I felt that I needed to highlight these issues as really being the fundamental components of where the barriers for people with learning disabilities lie. I would respectfully request that you really consider the situations of people with invisible disabilities, and learning disabilities in particular, and make the requisite amendments to this bill so that we end up with an Ontarians with Disabilities Act which is meaningful, which does include all people with disabilities, including those who have learning disabilities, and that really eliminates the kinds of barriers, not just physical ones, which so many people with disabilities face. Thank you.

The Chair: Thank you very much. We have approximately two minutes per caucus, and I'll start with the government side.

Mr Spina: Thank you, Ms Nichols, for coming. Learning disabilities: I'm trying to bridge it, so if you don't mind, help me. I'm familiar with it; I'm trying to figure out how that may or may not be able to be bridged as part of this act. In some elements we have seen people who have, either from birth or acquired, brain injuries which would result in a learning disability. Certainly we can see that visual or hearing impairments or a total lack would be a learning disability. I'm wondering if you could expand on perhaps other disabilities and how they might be able to be bridged in the application of this legislation.

Ms Nichols: If you will forgive me, visual and hearing impairments are not traditionally considered learning disabilities in and of themselves, although many people who have those problems also have learning disabilities. The places in this bill where you could in fact improve things for people with learning disabilities: when you discuss access and you talk about such things as communication, for example, there is no requirement in this bill that materials be in alternative formats when they are developed. There is no requirement to implement all kinds of recommendations that have come to the government around access to print materials for people who are print-disabled. It is often not recognized that in addition to people who are blind, people with dyslexia are print-disabled and would benefit from that.

The issue around assessment: if I could rewrite this bill, I would certainly define "access" in a much broader sense in recognition of the fact that physical access is important, but it's only the first step. Second, I would mandate that the plans that organizations, institutions, agencies have to prepare should have some common elements and should specify exactly what they should contain in terms of timelines and in term of compliance, in terms of accountability measures. I would specify that when organizations develop and implement such plans, they mustn't use service dollars and take it away from the people who are supposed to be benefiting from the service just to write plans. I would say that I would establish a process for reviewing the plans and having people report on a regular basis, not just on what is in the plan but how they have implemented it and how people with disabilities have benefited from the work that has

been done. If all those changes occurred, then I think we would have the beginnings of a good Ontarians with Disabilities Act.

You didn't ask this, but I would like to add that one of the things that we personally are very happy about is that you didn't model things on the Americans with Disabilities Act, because that particular piece of legislation significantly discriminates against people with learning disabilities precisely because of some of the issues around not understanding what people with learning disabilities need. So we are glad about that piece, at least.

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The Chair: Thank you very much. I'll go to the official opposition.

Mr Ted McMeekin (Ancaster-Dundas-Flamborough-Aldershot): As one who has been involved much of my life in education, particularly students with special needs, I'd be interested to hear from you about access points. If I'm reading between the lines correctly, I think we're talking about accessing opportunities. We hear a lot about speech therapy and access to speech therapy, and IEPs in schools and what have you.

Can you help us a bit with how we might modify the act to not only do what you want to do, broaden the scope, but also to help us understand where those with special learning needs might be able to access opportunities they need?

Ms Nichols: The barriers for people with learning disabilities, if I may come at it that way, are certainly not physical access, nor have we ever suggested through the work of the Learning Opportunities Task Force that standards should be lowered so that people should get into college or university with poorer marks than other students.

However, once they get there they absolutely have to have access to instruction that is appropriate. South of the border there is a lot of work being done on universal instructional design, which is not just for people with learning disabilities or even special needs, but a way of teaching so that anybody who has any kind of non-traditional needs can access this.

It consists of such things as adaptive technology and access to accommodations, which are certainly mandated by the Human Rights Code, but currently some of our colleges and universities can certainly deny accommodation and cite academic freedom as the reason for not allowing a student to tape-record a lecture or not allowing a student to utilize a computer when writing an exam.

There are those kinds of access issues. A particular one that is a major problem, and you probably won't hear from anybody else about this, is that in spite of the fact that this province has some wonderful things happening in education, we rely on the United States to provide many of the professional entrance exams, things like the law school admission test, the LSAT, the MCAT, the graduate records exam. They apply their legislation and, as a result, many students with learning disabilities attending an Ontario university and then attending an Ontario law school can't actually get the kinds of accom-

modations that our Human Rights Code mandates because the United States legislation doesn't allow for that.

That's a very peculiar issue to people with learning disabilities, but I think that education in Ontario has come of an age where really we should be doing some of this for ourselves and not allowing other people's legislation to create barriers for our students.

Mr Martin: Thank you very much for coming today and challenging us again, as you always do when you come before us. You make reference to two points that I wanted to ask you about. You mention in your brief the Human Rights Commission and the Human Rights Code. We had people before us in Windsor yesterday who suggested that the act as it now stands would in fact remove some rights of the disabled where the Human Rights Commission is concerned. This was a legal clinic out of Windsor which suggested that—so it doesn't just not do anything, it in fact takes away.

The other issue is the issue of learning disabilities. It seems to me that at the bottom of all of this is lack of resources, lack of funding for school boards to do the kinds of things they know they need to do and want to do, but the priorities they choose are different, unfortunately, in some instances. This government has chosen priorities. It has chosen to spend money on tax breaks for corporations and individuals, which effectively removes money from the public pot for this kind of thing. Without the resources attached to this bill, it seems to me it just makes what you're requiring undoable.

Ms Nichols: Just very quickly to respond: in terms of taking away from what the Human Rights Commission provides, I think that an institution could in fact legitimately under this bill refuse accommodations at a given time on the grounds that their plan doesn't call for this to happen until next year or the year after. So in that regard—perhaps unusual circumstances—one could actually imagine the Human Rights Code sort of being overridden by a plan of a particular institution.

Without commenting on the government's priorities in funding or anything like that, which I don't wish to, there certainly is a major issue around the whole area of special education and how special education is funded. It's a particular issue in the north where you come from, partly because of money but also because of qualified professionals who are not available there.

I would not look to this bill to address all of those issues by any means. But in terms of the plans and how school boards will work on their accessibility plans and how that will improve things for students with learning disabilities, I cannot see.

The Chair: With that, we've run out of time. On behalf of the committee, thank you very much for your presentation this afternoon.

COALITION FOR LESBIAN AND GAY RIGHTS IN ONTARIO

The Chair: Our last presentation this afternoon is the Coalition for Lesbian and Gay Rights in Ontario. I would ask the presenter or presenters to please come forward

and state your name for the record. On behalf of the committee, welcome. You have 20 minutes for your presentation.

Mr Nick Mulé: I'm Nick Mulé and I'm a spokesperson and one of the directors of the Coalition for Lesbian and Gay Rights in Ontario, also known as CLGRO. Thanks for inviting me this evening.

As a member organization of the Ontarians with Disabilities Act Committee, we support the 11 principles set forth by the committee toward making this act a strong and effective one. We urge the government to incorporate these principles in the bill in order to strengthen an otherwise insubstantial proposal we have before us, from merely creating opportunities to remove barriers to actually achieving barrier removal for all people.

Some general concerns regarding the bill: the bill focuses too heavily on improving opportunities for persons with disabilities by creating lists of barriers and coming up with ideas on how to remove them. This may be a step in the process of achieving a barrier-free Ontario, but a preliminary one at best, as there is a long history of Ontarians with disabilities facing barriers. Time would better be spent by having the government tap into the expertise that currently exists among the 1.6 million people with disabilities who reside in this province. In other words, the emphasis should be placed on barrier removal and prevention, rather than exploration, at this point.

Although it is proposed that a provincial disability advisory committee be struck, its powers are extremely limited, to the point of not being included in the development of regulations or standards under the bill.

In addition to the provincial disability advisory committee is a proposed disability directorate. Although welcome concepts, they represent resurrected ones, for both have at one time existed in this province, only to be downsized if not altogether abolished. Today we are presented once again with these concepts, whose viability is being questioned due to the limited mandate given to each.

The time it has taken for this government to come forward with this act only exacerbates the disappointment experienced due to the bill's lack of teeth. It provides next to no mandatory changes. It provides for no timelines. It provides for no means of enforcement. For the most part it places responsibility for the implementation of changes on to municipalities, of not less than 10,000 at that.

The private sector is not addressed as equally as the public sector, which is a serious concern given the alarming rate of unemployment among the disabled in this province.

The role of the voices of persons with disabilities in eliminating and preventing barriers is advisory at best and at worst government-appointed. These raise serious concerns about the effectiveness and broad-based representation of these voices.

Some specific concerns regarding sexual minorities with disabilities: lesbians, gays, bisexuals, transsexuals

and transgendered people—for short here we refer to them as sexual minorities—with disabilities as a population face barriers on two levels, their disability and their sexual orientation and/or gender identity. Visibility may or may not be a factor in either or both, but the fact that both are the person's reality presents a double set of barriers in a society that expresses discomfort around disabilities and heterosexism and homophobia toward those who do not identify as straight. All aspects of daily living can be compromised by these two factors, from housing, employment, transportation and means of communication to receiving goods and services. What underscores the restrictions and limitations faced by sexual minorities with disabilities is the insidious attitudinal barrier.

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In a province-wide study we conducted on addressing the health care and social service needs of sexual minorities in Ontario, we found 20% of survey respondents described themselves as having a disability or chronic illness; 50% of male respondents in this category reported being HIV-positive; 72% of all respondents with disabilities were receiving social assistance; 67% of women with disabilities did not come out to their health care providers, believing that to do so would negatively affect the way they were treated; 48% said they were unable to pay for counselling or therapy.

Some anecdotal reports included: negative attitudes by special transportation drivers when transporting an individual to a gay-identified venue; discomfort expressed by home care workers when visiting a lesbian, gay or bisexual's home upon realizing the relationships, literature or artwork in the home; personal attendant care providers refusing to work with lesbian, gay or bisexual people who are in need of such services; great difficulty in accessing lesbian, gay and bisexual literature and other affirming materials, particularly for those in institutional settings; health care and social service professionals who have difficulty accepting that people with disabilities are sexual beings, let alone lesbian, gay or bisexual; gender-based shelters dealing with homelessness, addictions or mental illness were ill-equipped to deal with the trans populations; and the need to seek out private services that are lesbian, gay, bisexual and trans-positive, rather than face discrimination through the public service system, and then struggling to find the funds to afford them.

We put forward some recommendations, the first of which is, given that the Ontarians with Disabilities Act would impact on all provincial government ministries, it is imperative that cultural sensitivity training inclusive of sexual minority issues be undertaken at all provincial government levels.

In the absence of employment equity legislation, efforts must be made through the Ontarians with Disabilities Act to address barriers to obtaining and maintaining employment to both address the disproportionate rate of unemployed in this population as well as those who are specifically marginalized within this population, such as sexual minorities. This must be applied equally to both the public and private sectors.

Health care and social service organizations serving those with disabilities or chronic illnesses must ensure that their facilities are fully barrier-free, and train their staff to expect clients—patients—who are lesbian, gay, bisexual, transsexual or transgendered and acknowledge that their clients or patients may have sexual, loving same-sex relationships.

Health care and social service organizations must conduct research on the degree of hostility, discomfort or receptiveness of those providing service to lesbian, gay, bisexual, transsexual or transgendered people with disabilities or chronic illnesses, as well as the varying degrees of visibility and duration of chronic illnesses or disabilities for lesbian, gay, bisexual, transsexual or transgendered people. Research methods must not force disclosure of sexual orientation or make unrealistic demands on stamina or mobility.

Publicly funded producers of sex information and sexuality-training materials for people with disabilities must include information for and about transsexual, transgendered people and people of all sexual orientations.

Finally, residential facilities for people with disabilities must develop policies and procedures acknowledging that they have lesbian, gay, bisexual, transsexual and transgendered clients and accommodating their special needs.

In concluding here, the issue that we are bringing forth is one very much of attitudinal barriers, and we feel that's a piece that's missing in this act. It is an act that focuses specifically on people with disabilities, and that needs to be first and foremost, but what we are bringing across is that people with disabilities are more than just people with disabilities. Groups that are marginalized within that population, be they women, the elderly, children, multiple disabilities, class issues, sexual orientation, ethnicity, religion—many things—have to be taken into consideration. Attitudinal change is difficult, but at the same time if we're only working on attitudinal changes around how we work with people who have disabilities, we have to take into consideration that there's more to them than just that.

That concludes my presentation.

The Chair: We have approximately three minutes per caucus, and I'll start with Mr Smitherman.

Mr George Smitherman (Toronto Centre-Rosedale): Nick, for a long time you and CLGRO have been involved in the struggle within the broad gay community toward full equality have and witnessed many different steps along that path. Some people who have been before this committee take the view that this is better than nothing, and they seem satisfied. That's not the majority view, but some disabled groups have spoken to that. From your standpoint, with the experience of the gay community on the road to full equality, which we're still moving down, how much better than nothing is this, in your opinion?

Mr Mulé: This is why I said in terms of my conclusion, what's presented here certainly won't go far

enough for the sexual minority communities. It may, on the front of disability issues, provide some things, although I started off by saying there's a lot to be done with this act if it's going to have any real teeth in it to do what it needs to do for people with disabilities. It will not go far enough in terms of taking into consideration the specifics of a marginalized group like the sexual minority communities. They are faced with double barriers, in essence: first, having the disability, and second, whether they can be out about their sexual orientation. That comes up in many areas of daily living, like I mentioned, in terms of transportation, employment, housing, many areas like that.

The other thing, to respond to that as well, is our community, like many communities, is on the road to equality, but at the same time, at the coalition we fight very hard for being on the road to equity as well. That's very much what this is about. It's not just so much to be the same as everyone else, but to take into perspective and to take into consideration the specifics that exist. We are not all exactly the same, and this is what we want people to be sensitive to. Oftentimes people go with the majority, which in our society happens to be heterosexual. We're asking people to step back a bit and take into consideration that there's more to a person than just their disability, and it just might be their sexual minority status.

The Chair: With that, we've run out of time. Mr Martin?

Mr Martin: Thank you for coming. On the first page you list a number of the disappointments that you see in the bill, and most of them have been listed over the last few days by others. The one that's missing is the lack of resources. I guess I tie that to another issue that you raise here, which again has been raised before but I think has particular relevance in your instance, and that's the issue of attitudinal barriers.

First of all, I would guess that you probably recognize that we need resources if we're going to do some of the education stuff that you're suggesting, but are there any other things that we could do with this bill that would help in that area of the attitudinal barriers that exist out there?

Mr Mulé: I think something needs to be stated in the bill with regard to addressing that as a concern and going that next step of talking about not only attitudinal changes with regard to disabilities, but what the person with a disability brings forward as well, that they may be female, they may have multiple health problems, they may have issues of poverty. There are many things that need to come forward, and what I'm representing today is the issue around sexual minority issues. So something needs to be stated in there in that regard.

Your other point around resources is a very good one, and that's why it's part of our recommendations, that resources need to be put in place around educational materials. Activities have to be put in place in terms of training, be it governmental staff, as well as service providers who are working with people who have

disabilities, employers out there. And it goes without saying that doesn't come without a cost. Money has to be put into this if we're going to even begin to address the huge task of attitudinal change.

The Chair: The government side?

Mr Frank Klees (Oak Ridges): Thank you for your presentation. You're not suggesting that the gay community would expect disabled within the gay community to be treated differently under this act. What I think I hear you saying is that you've got an additional issue, the attitudinal one, that somehow needs to be dealt with, and I would think on a broader level, within society.

Are you suggesting, though, that there should be something actually written into this legislation to deal with that? If so, I guess I get back to the question of, how do you legislate attitudinal change?

Mr Mulé: It's a good question. Yes, I think we would like to see something in the act that's actually written out. A starting point—again, I'm here representing one particular population of sexual minorities, but the Human Rights Code lists many characteristics that each of us

have our rights protected on, so it's that philosophical premise that I'm coming from on that.

I don't know that you can actually legislate attitudinal change, but it's something that's a start. If I speak in particular to the area of service provision that some of our recommendations address in health care and social services, a lot of the professionals in those fields are operating under codes of ethics in their own respective professions that take a lot of this into consideration but don't necessarily follow it. To have this piece in legislation is another reminder to them that this is being taken seriously and we all need to be sensitive to this; it's not just a matter of the focus being on disabilities, which is important, but there are other factors that have to be taken into consideration to see the person as a whole person.

The Chair: We've run out of time. On behalf of the committee, thank you very much for your presentation.

This committee will reconvene at 9 o'clock tomorrow morning in this room. We're now adjourned.

The committee adjourned at 1801.

STANDING COMMITTEE ON FINANCE AND ECONOMIC AFFAIRS

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Ontarians with Disabilities
Act, 2001

Comité permanent des finances et des affaires économiques

Loi de 2001 sur les personnes
handicapées de l'Ontario

Chair: Marcel Beaubien
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LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

STANDING COMMITTEE ON
FINANCE AND ECONOMIC AFFAIRSCOMITÉ PERMANENT DES FINANCES
ET DES AFFAIRES ÉCONOMIQUES

Wednesday 5 December 2001

Mercredi 5 décembre 2001

*The committee met at 0902 in room 151.*ONTARIANS WITH DISABILITIES
ACT, 2001LOI DE 2001 SUR LES PERSONNES
HANDICAPÉES DE L'ONTARIO

Consideration of Bill 125, An Act to improve the identification, removal and prevention of barriers faced by persons with disabilities and to make related amendments to other Acts / Projet de loi 125, Loi visant à améliorer le repérage, l'élimination et la prévention des obstacles auxquels font face les personnes handicapées et apportant des modifications connexes à d'autres lois.

LEARNING DISABILITIES
ASSOCIATION OF ONTARIO

The Chair (Mr Marcel Beaubien): Good morning, everyone. We're here to consider Bill 125. Our first presentation this morning is from the Learning Disabilities Association of Ontario. I would ask the presenter to please come forward and state your name for the record. On behalf of the committee, welcome. You have 20 minutes for your presentation this morning.

Ms Carol Yaworski: My name is Carol Yaworski. I'm the executive director of the Learning Disabilities Association of Ontario. I'd like to thank the committee for the opportunity to present and also for scheduling me first thing in the morning so that I have a better chance of your remembering what I'm saying to you, because I imagine that by the end of the day it's all a blur.

To briefly speak about our association, we're a provincial association with approximately 5,000 members across the province. That membership is comprised of families and individuals and institutional organizations such as colleges, universities, school boards and band councils.

Our primary role is to provide advocacy on behalf of individuals with learning disabilities, and we do that on an individual basis across the province. We have chapters in approximately 30 communities in Ontario, and I know that the Chairman is familiar with our Lambton chapter. We also, at a provincial level, make it our business to comment on pretty much every piece of legislation and legislative change that takes place in the province. So as

I'm sure you can imagine, we've been a very busy group in the educational field in the last several years.

In addressing the proposed Ontarians with Disabilities Act, I'm going to start by giving you some history about our position on this legislation in its previous two incarnations. We have advised this minister and previous ministers that it is our view that unless a piece of legislation that had compliance requirements and incentives was tabled, we would advise against actually tabling the legislation, feeling perhaps that this is one promise that should not be kept, but rather that the Ontario Human Rights Code, which is a piece of legislation we have a great deal of faith in, be strengthened and that the Ontario Human Rights Commission be provided with additional resources to make the commission effective and timely in responding to complaints.

I will say that we have seen a substantial improvement in the work of the commission in terms of timeliness in the last several years and I think that is noteworthy.

However, given that the legislation has been tabled again and is going ahead, what I'm going to speak to are specific concerns about the form of the legislation that's currently before us.

In a previous submission—this is all in the document I've provided to you—we identified some specific expectations or suggestions we had as to what would make such a piece of legislation effective. It's very important that something like this, which substantially raises the expectations of people with disabilities, have teeth to it. Our concern is that if it not be substantial in nature, it creates a sense of complacency and overconfidence, especially for individuals with harder-to-identify disabilities, such as learning disabilities or mental health problems or brain injuries. For individuals like those we represent, complacency is a very dangerous thing.

Our concern, first of all, was that the definition of "disabilities" in any legislation be the one that is identified in the Ontario Human Rights Code. That is certainly the case. We are pleased this proposed legislation does use the code's definition.

Secondly, it's important that the goal of the legislation be to prevent and eliminate discrimination for persons with all disabilities. Again, I'll emphasize the problem associated with invisible disabilities.

It must complement and supplement the Ontario Human Rights Code, but also reinforce the message that the Ontario Human Rights Code is the primary piece of

legislation. We feel this legislation in some places is not clear enough in saying that the Ontario Human Rights Code overrides anything that is in this act. Specifically, it's the statement, "Nothing in this act limits the operation of the Ontario Human Rights Code." I think that could be a stronger statement. In our meeting with the minister last week, we made a recommendation to staff that that be strengthened.

Other aspects of legislation that we have felt would be important would be that it spell out in detail both government's and society's expectations in terms of access to goods and services and facilities for people with disabilities, and accommodation of those disabilities.

For example, one of the recommendations we've made: we have a significant problem in Ontario with access to books on tape. It's particularly a problem for students in secondary schools with timely access to textbooks on tape. We're recommending the legislation be amended to ensure that any private business doing business with government—in that case we would also include transfer payment agencies such as school boards—be required to have books on tape that are texts immediately available, simultaneously available, when print is available. With computer technology, there's certainly no reason why that couldn't be done. I think it's an implied expectation, but it's one that we would like you to articulate in the legislation.

There are two major concerns that we have about this legislation. One is the absence of expectations around compliance. I think it is predicated on an assumption that businesses and organizations will do the right thing, and certainly in the public sector the expectations around doing the right thing are higher, but I think there is an optimistic view that those organizations and businesses that are not currently creating accessibility will do so.

This legislation requires some of them to create an accessibility plan. What it doesn't require them to do is actually operationalize on a set plan. Maybe I'm a cynical person, but I'm thinking that some of them are not going to do that. We have great concern that in the public sector, for example, school boards, colleges and universities will create very elaborate, substantial and inspirational plans that never see their way off paper.

In the absence of both compliance expectations and some consequences for non-compliance, and in the absence of incentives for compliance, I think we could all end up with a province-wide library of very elaborate accessibility plans that aren't actually operationalized. To me, that would be a tremendous waste, because I think in some instances those institutions will convince themselves that they've done what they needed to do and that that's sufficient.

0910

Our second concern, which is related to that, is a tremendous concern we have that in school boards, for example, direct service dollars not be used to develop accessibility plans. We're greatly concerned that special education dollars, which are to provide direct services to students, will actually be diverted to the expenditure of

developing the accessibility plan. We know some boards will do that. Some of them will not—it's fair to say that—but we are absolutely certain that some boards will.

Hopefully regulations will address this, but there is nothing in this legislation that would prevent a school board from taking service dollars, special education dollars, and using those dollars to develop an accessibility plan. We believe that situation also exists with colleges and universities. I would certainly urge the committee to look at the concern that represents, because we can see a lot of tax dollars intended to assist students directly ending up creating accessibility plans that may or may not actually be operationalized.

Those are my major points. I would urge you to read what we've provided. There is a lot of detail there, but certainly those are the two great concerns: (1) that these plans never actually come to life, and (2) that they will be developed with direct service dollars.

The Chair: We have approximately three minutes per caucus and I'll start with Mr Martin.

Mr Tony Martin (Sault Ste Marie): I'd like to explore a little further with you the first point you make, which is that your organization would not have moved with this legislation. Instead, you would have beefed up the Human Rights Code and perhaps given them more resources. I understand that if you give them more resources, the backlog of cases before them would be cut down according to the amount of resources they had. We have been looking for a more comprehensive Ontarians with Disabilities Act. Given the principles that were laid out and that are listed in your presentation here, if there was an act that covered all those areas, would your position still be the same?

Ms Yaworski: No. If all these expectations were met, particularly the ones around compliance, I think we would be in a very different position in terms of our viewpoint. The concern we've had with this legislation from the outset is that we understand it's the philosophical viewpoint of this government that forcing the private sector into compliance is not something they're prepared to do. We recognize that's the position. We've also seen, in our experience with the Education Act, for example, that where you leave openings that create an expectation that people do the right thing, they don't necessarily do that.

Our concern is that in the absence of compliance expectations, those companies and institutions that are currently creating accessibility will continue to do so and probably will do a better job of doing so, but those who aren't and haven't, won't. So we feel we're going to be right back where we started, although in the compliance, those organizations that do well with it will probably do better. But certainly, if all of these expectations were met, we could support the legislation.

Mr Martin: You also mentioned the issue of something stronger than the statement, "Nothing in this act limits the operation of the Human Rights Code." When we were in Windsor, the Windsor-Essex Bilingual Legal Clinic suggested that, left as it is, this act could reduce

the amount of protection and coverage disabled people have. You're obviously saying the same thing.

Ms Yaworski: That's a concern we have as well, and ARCH, which has prepared a document on this, an analysis of the legislation, has taken a similar position. So yes, certainly that's a concern for us.

Mr Martin: Is ARCH coming before us, do you know?

Ms Yaworski: I don't know that.

Mr Martin: Do you have a copy of that document?

Ms Yaworski: I do.

Mr Martin: Can we get a copy of the document they have prepared?

Ms Yaworski: I have it here.

Mr Martin: Could you give it to the clerk? Perhaps, if we don't have it already, it might be a helpful document for each of us to have.

Ms Yaworski: I think it would be.

The Chair: I have to go to the government side.

Mr Ernie Hardeman (Oxford): Thank you for the presentation. I want to quickly touch on the Human Rights Code. The intent of the legislation is definitely that the supremacy of the Human Rights Code is recognized in this legislation. Your suggestions will be looked at, and if that's not what it does, then it would need to be amended to make sure it does, because that is definitely the intent.

Along with that, I have some concerns. We've heard very little from presenters or very few presenters have put forward the position that nothing is better than this legislation. I think that's because most of the presenters feel that the barriers to disabilities are generally not covered by the Human Rights Code. So strengthening that would not do anything for the majority of people who want an Ontario Disabilities Act in order to restrict the creation of new barriers and to remove the existing barriers. Is it a reasonable assumption that your association has different requirements or different problems than the average presenter who has presented to us?

Ms Yaworski: I think that's true. In a forum I participated in last week with the minister, for example, a substantial amount of the time was spent discussing municipal compliance regarding accessibility existing in new buildings. Certainly, while we think that's a very important issue for people with physical disabilities, that's not a discussion that is particularly relevant to our population.

The issues for our population with regard to accessibility relate to things like adaptive technology and access to that, accommodations within the workplace that don't create undue hardship for employers but that are often abstract and very difficult for the employee to explain and to get across.

In terms of your previous reference to the Human Rights Code and the fact that this creates accessibility and addresses the issue of barriers, I think our recommendation that the code be strengthened to address the accessibility issue would get at that absence that currently exists in the Ontario Human Rights Code, and you're

certainly right about that. The difference would be that the commission that administers the code actually has some enforcement capacity that this legislation doesn't have. This relies tremendously on good faith.

The Chair: I have to go to the official opposition.

Mr Ernie Parsons (Prince Edward-Hastings): Thank you for the presentation. You're speaking on behalf of a group of people who have some unique challenges. I taught at a community college for many years. It's my experience that a student coming into college with a mobility issue was obvious, of course. For students who had learning disabilities, not only was it not obvious but they didn't want to be identified in some cases.

Ms Yaworski: That's right.

Mr Parsons: They would deny. So homework would not be done or tests would be done very poorly, which I would initially attribute to their not having done their homework. They are a group you have to pursue to find out what the real issue is. It requires them usually to sign a consent to speak to their high school to get that background. So you're trying to serve a group that at times doesn't want to be served but desperately needs it. Without your amendments, does the bill, as tabled, do anything?

Ms Yaworski: Not much. As I said, we're very concerned about protecting special education dollars and direct service dollars in post-secondary with regard to the development of accessibility plans. That's a tremendous concern for us, because we believe that tens of millions of dollars will get spent on that in the absence of some sort of financial assistance to those institutions to develop the plans.

0920

Mr Parsons: Money is going to come from somewhere to develop the plans, but the plans may not be implemented, they may simply be developed.

Ms Yaworski: Yes.

Mr Parsons: I'm trying to find the wording. That's got to be terrible, to build up expectations. I'm thinking with parents or with the individuals themselves, the expectation is, here is a plan; when does it start?

Ms Yaworski: Especially if, as the government hopes, parents and other stakeholders will be involved in the development of those plans, you're right. If they're developed but they never actually take life, then I think the words you're looking for are that the road to hell is paved with good intentions. I think that people will hide behind that plan and say, "We've done what we needed to do." And in fact, they have because there is no expectation. There's an expectation but there are no consequences.

Mr Parsons: There's no requirement.

Ms Yaworski: Or no incentive.

The Chair: With that, we've run out of time. On behalf of the committee, thank you very much for your presentation this morning.

ADVOCACY CENTRE FOR THE ELDERLY

The Chair: Our next presentation is from the Advocacy Centre for the Elderly. I would ask the presenter to please come forward and state your name for the record. On behalf of the committee, welcome.

Mr George Monticone: Good morning, Mr Chair. My name is George Monticone. I am a lawyer with the Advocacy Centre for the Elderly. I thank you and your committee for the opportunity to speak to you this morning.

The Advocacy Centre for the Elderly was founded in 1984. We're a legal clinic that serves low-income seniors in the greater Toronto area. We have throughout the years worked with many seniors who have disabilities. We've seen at first hand the accessibility problems encountered by these seniors.

While it's possible to use existing legal mechanisms such as the Human Rights Code to remove barriers, this process is a long and painful one. Some persons faced with these difficulties don't have the strength and energy to see a legal action through to a successful conclusion. Some, because of serious illness, don't have the time to challenge the existence of barriers. Others may not have access to affordable legal assistance. And even if successful, the removal of one barrier may not be helpful if in the meantime several others have been put in their place.

For these reasons, legislation is needed which grapples systemically with accessibility problems. Whatever its shortcomings, the Ontarians with Disabilities Act, 2001, acknowledges this fact by its very existence. We congratulate the government for finally putting the issue on the public agenda by introducing Bill 125. We hope that the debate and discussions prior to third reading of the bill will strengthen that bill.

One year ago yesterday, a group of women representing the largest seniors' organizations in Ontario held a press conference in this very building calling for a strong and effective Ontarians with Disabilities Act. This fact is noted in Hansard for December 4, 2000. The organizations represented at that press conference include the Canadian Association of Retired Persons, Canadian Pensioners Concerned, Care Watch Toronto, Older Women's Network, Ontario Coalition of Senior Citizens' Organizations and the United Senior Citizens of Ontario.

The Advocacy Centre for the Elderly does not speak for these seniors and their organizations. They certainly are very capable of doing that for themselves. However, we wish to remind the committee and the Legislature that these organizations, representing thousands of seniors across Ontario, have been heard from and some very clear messages came through at their press conference. I've included for your perusal the press release and fact sheet from that press conference. Three points were made there.

(1) Legislation must be introduced that ensures no new barriers are put in place in the future in Ontario.

(2) Legislation must be introduced to ensure that the principles of universal design are followed in products, communications and the built environment.

(3) Legislation must be introduced to ensure the removal of existing barriers.

I want to take those three points as a way of looking at Bill 125 and ask the question, does it satisfy those three demands of the seniors' organizations?

Let's take the first point: Does Bill 125 ensure no new barriers will be put in place in Ontario?

We have to say no to this. Only the government of Ontario is placed under an obligation to ensure no new barriers, by section 4. Even this requirement has problems, but if we let them pass, it has to be said that other entities such as municipal governments, agencies, organizations and private businesses are not placed under a similar duty to comply. With respect to everyone else in Ontario other than the provincial government, new barriers may be put in place with impunity.

Surely the seniors who spoke at that press conference did not intend to exempt all of the private sector and municipal governments. To do so, after all, is to exempt most of what each of us encounters every day. So Bill 125 must be amended to include these sectors to ensure no new barriers in the future.

Even if we look at the requirements placed on the provincial government, there are problems in Bill 125. I cite in my paper a number of sections of the bill that say that the provincial government must do particular things in relation to the design of environments in relation to publications, Web sites and funded capital projects.

Do these requirements, taken together, amount to assurance of no new barriers? What happens if a new barrier is put in place, or one of these requirements is not met? What can a person with a disability do under such circumstances? I think you search Bill 125 for an answer in vain.

There is an old maxim quoted in many legal texts: "There is no right without a remedy." This means that any law purporting to advance the rights of someone that does not give that person a means to redress their situation is, in effect, an empty law. Bill 125 is such a law. There is no list of offences or penalties and there is no right of appeal or complaint to an independent court or tribunal, so a person with a disability who encounters a new barrier or a violation of one of the provisions of this bill has nowhere to go. The only thing they can do perhaps is what they can already do, which is to take the matter to the Human Rights Commission.

It should also be noted that in section 18 of the bill, the government is permitted to exempt anyone from the requirements of the act if it so chooses. There is no right to challenge such an exemption.

This total lack of remedies in Bill 125 isn't good enough. It doesn't enhance the rights of persons with disabilities. The bill must be amended to clearly state that specific actions, such as establishing a new barrier, are illegal, and it must provide those affected by such actions with the means to challenge the illegality. There must be

a right to bring the matter to a newly created tribunal, a court of general jurisdiction or an existing tribunal.

In conclusion then, Bill 125 doesn't ensure the provincial government will not create new barriers for those with a disability. New barriers may be justified as an exemption under section 18. Moreover, no mechanism is provided to challenge a new barrier that may be in violation of the law.

Let's look at the seniors' second point. Does Bill 125 ensure that the principles of universal design or any other standards are followed with respect to products, communications and the built environment to ensure accessibility? I've included for your reading in appendix 2 the seven principles of universal design. I'm not here to defend them today. I don't even particularly want to talk about them, but I think they are very interesting and may serve as the basis for standards in legislation.

0930

The point I want to make today is that seniors' groups represented at that press conference said they wanted to see some standards adopted in legislation. It may be universal design standards, it may be some others, but Bill 125 doesn't do any of this.

Section 4 requires the adoption by the provincial government of "barrier-free design guidelines," which guidelines are to be developed in consultation with persons with disabilities and others. It specifies that these guidelines are not regulations within the meaning of the Regulations Act. Bill 125 doesn't set any time limits on when these guidelines must be adopted, and it doesn't set any time limits as to when they must be implemented.

It's understandable the Legislature would not want to tackle the difficult job of specifying detailed standards; however, this doesn't justify a completely open-ended approach which sets no time limits and which only insists on "guidelines" which don't have the force of law. Such details as are required here are typically reserved for regulations under a statute.

Therefore, we recommend Bill 125 specify that standards of design be developed in consultation with persons with disabilities and that they be set out in the form of regulations. In addition, we recommend Bill 125 set clear time limits as to when these regulations are to be in place and time limits as to how long those bound by the regulations have to comply with them.

Furthermore, as I mentioned earlier, the standards set in regulations should apply to municipal governments and the private sector in addition to the provincial government.

Finally, I'll turn to the third point made by the seniors at that press conference I referred to: does Bill 125 ensure the removal of existing barriers? I think the answer, very simply, is no.

Bill 125 is at best a planning bill. It requires the provincial government, municipalities over 10,000 persons, public transit organizations and other scheduled organizations to develop an annual accessibility plan which includes measures to be taken to identify, remove and prevent barriers. While there is a requirement of a plan,

no time limits are set as to when, if ever, such a plan is to be implemented. There are no penalties if the plan fails to address what it should or if the plan is not implemented. Bill 125 does not give persons with disabilities any remedy by which they may address these sorts of failures. No sector, including the provincial government, is required by Bill 125 to actually remove existing barriers.

Now, this is a hard issue, removing existing barriers, and that's because it's costly sometimes. Bill 125 fails to prevent the implementation of new barriers, so it's not surprising it wouldn't deal with this much more difficult issue of removing existing barriers. A real commitment to a systemic solution to this problem requires the commitment of provincial funds to assist where the cost of barrier removal or renovation is high or prohibitive. Bill 125 provides no funding for this purpose; therefore, once again the only recourse for persons with disabilities faced with existing barriers is to initiate an individual challenge under the Human Rights Code.

In conclusion, while the existence of this bill does advance the public debate a step further about removal of and prevention of barriers to people with disabilities, it doesn't give us much in the way of substance to address existing problems and prevent future problems.

Just to very quickly summarize. The scope of this act should include private businesses and organizations, municipalities as well as the provincial government. There should be no possibility of a permanent exemption from the requirements of the act as is currently found in section 18. Standards of design and related requirements to prevent barriers must be incorporated into regulations to be passed, in consultation with persons with disabilities and others, and reasonable time limits must be set in the act as to when these regulations should be passed and as to when there must be compliance. The act must specify offences and provide remedial mechanisms to those who wish to challenge violations of the act. Finally, the act must ensure that no new barriers are put into place.

Those are my comments.

The Chair: Thank you very much. We have one minute per caucus, and I'll start with the government side.

Mr Joseph Spina (Brampton Centre): Thank you for bringing the perspective from your particular group.

You talked about compliance and I guess kind of a phase-in period. I'm just wondering if you had any recommendations as to what kind of a phase-in period it might have for compliance and whether you felt, or your group felt, that from your perspective the private sector should be the priority versus the government leading the way. We had one advocate in here, for example, saying, "You know, I need to get to my doctor. I don't care about city hall," kind of thing.

Mr Monticone: In terms of time frames, I know other organizations who will be appearing before this committee have suggestions of six months and so on. I frankly don't have a precise suggestion. I think compliance must be within a time frame. There should also

be a mechanism to permit an extension in particular circumstances. That would require access to a tribunal and the possibility of hearings, I suppose, to give to organizations who may, for some extenuating circumstances, not be able to meet a firm deadline. So I think that should be considered if firm deadlines are set.

I do believe they should be set. You have the difficult task of deciding what the proper time limit should be. Six months doesn't seem out of line.

The Chair: Thank you very much. The official opposition?

Mr Parsons: What I'm going to say is pretty deep for an engineer, so forgive me if I phrase it wrongly, but there is the sense to me that there is a "them" and an "us" in this bill. "Them" are the people with disabilities; "us" are the people that don't have them yet.

This bill, to me, rather than saying, "them is us," says, "OK, we're going to identify, we're going to label. We're not going to bring you into our world, but at least we've labelled you under this bill." But I don't see any effort for a bridge to be built to bring the two groups together. Because really, in effect, we are one group. We are one group and should be one group.

So I see the bill as putting a label on a group but not actually doing anything to remove the barriers. Is that a fair comment?

Mr Monticone: I think that's a fair comment. I didn't read you part of my paper, but I invite you to have a look at page 2 in here. I engage in a little bit of philosophy there, and really I think it's supporting what you're saying, sir. Those of us who may be fortunate enough to not have a disability may think of "them" and "us," but the reality is that we don't know what our future holds, any of us, and any one of us could suffer an injury or have some problem develop which results in a disability. Any one of us could have that, or those of us who even have a disability now could have a different one in the future. We don't know.

I invite you as legislators to think about that fact very hard and invite you to design your legislation in such a way as to ensure that if you were one of those people in the future governed by it, who had a disability, it would be of assistance to you, you would see it as being of value. So I invite you to adopt that framework when you're thinking about this bill.

The Chair: Mr Martin?

Mr Martin: Thank you for coming this morning. I reference your comment on page 4, which says that in fact this is an empty law. I'd suggest, from comments that have been made by others and just a brief look through the document we just received from ARCH, that it's actually not an empty law, and if we're not careful it could be a law that takes away from disabled people some protections they already have under the Human Rights Code. Have you done any analysis of that sort with regard to the bill?

Mr Monticone: Well, no. There is that possibility inherent in the bill, in terms of standards being set. We see in the bill that the standards can be as low as what the

building code requires, and those standards may not go any way toward addressing a serious accessibility issue. So yes, you're right, there is that possibility inherent here, and that should be addressed.

0940

MULTIPLE SCLEROSIS SOCIETY OF CANADA, ONTARIO DIVISION

The Chair: Our next presentation is from the Multiple Sclerosis Society of Canada, Ontario division. I would ask the presenters to come forward, and could you state your names for the record, please. On behalf of the committee, welcome.

Ms Kris McDonald: My name is Kris McDonald. I'm with the Multiple Sclerosis Society of Canada, Ontario division. I'm a member of the social action committee. I am also a person with multiple sclerosis. I work part-time as a disability consultant providing consulting services to the MS Society on insurance, and to individuals with disabilities in my own community.

Ms Deanne Groetzinger: I'm Deanne Groetzinger, vice-president of communications with the Multiple Sclerosis Society of Canada. I work very happily with Kris, who is one of our lead volunteers.

Ms McDonald: The MS Society of Canada is pleased to be able to provide input to Bill 125.

The MS Society is a national organization with regional divisions. An estimated 50,000 Canadians have MS, with approximately 18,500 in the province of Ontario. MS is a disease of young adults. It is the most common neurological disease that affects Canadians. It generally strikes between the ages of 20 and 40, so it is hitting people at the prime time of their lives, when they are creating careers and families. Its disabling effects can vary. In each of the briefs we presented to you, we also gave you a green sheet that includes the primary symptoms of multiple sclerosis. It's an excellent graphic—the graphic designer should be given some kind of award—because it lets you see exactly what the symptoms of MS are.

As previous speakers have said, we view Bill 125 basically as a beginning point, a framework. As it stands, it's only a first step. It's a framework for us to build something truly remarkable. It could be thought of as the framing for a house, and the comments and suggestions that people are bringing forward during these hearings will provide the details of what the house should look like when it is finished. We hope these public hearings will be digested by you and utilized. Our concerns with the legislation involve, as was said by a previous speaker, the possibility of a reduction of rights. We have included wording in our brief for the definition to change so that the rights of individuals under the current legislation, the current system, would not be abridged.

Now we would like to make some recommendations. First, as the previous speaker said, we would like it extended to the private sector. Going to a city council meeting is a very good idea, or coming to this exalted

body is exceedingly delightful, although I'm not sure if there are mice in Queen's Park, as the bread crumb trail I left to get out of here may not be available when I go back. I hope the janitors of Queen's Park have controlled the mouse population so I can find my way back out of this building.

What we would like to see is a widening of the purpose of the legislation, and perhaps this wording: "The purpose of this act is to achieve a barrier-free Ontario for persons with disabilities guaranteed under the Ontario Human Rights Code or under any other act or regulation in Ontario." As we say, barriers are not necessarily only physical. If you notice on the various symptom notes, vision impairments are part of the inclusions, so that the Building Code Act, 1992, which seems to be the primary framework of this legislation, is not the only means by which the rights of the disabled can be entrenched. Yes, it's an interesting use of the building code, making it regulate that barriers are not constructed, but that's not the only source of barriers for some people. For example, a blind person trying to figure out if an elevator is going up or down if there is not one bell for up and two bells for down, or hearing when an elevator arrives if you have a hearing impairment, are difficult things to do. So in the design of buildings, the government has given itself a loophole. We would close that loophole and also extend the legislation to the private sector.

The private sector is really the place where I live, the place where I exist. I need to get to the grocery store and be able to purchase groceries for my family, not just come to Queen's Park and make a presentation to the government. So for barriers in buildings, particularly for small businesses that don't have access to large amounts of money, the government needs to provide some sort of sustenance, because they can't afford or can't access my consulting to tell them the less expensive ways to make their buildings accessible. It doesn't always take thousands of dollars to make a building accessible. Sometimes it can be done with just a cement mixer and the building of a ramp in the proper place or the moving of some furniture.

The view of the world becomes entirely different from this vantage point, from this seat, rather than standing or walking around. That's the interesting thing that most people don't recognize until they're in this thing. I know what my disability is. You and most of the population of Ontario don't necessarily know.

In our brief we have given specific areas of the present bill that can start it on the way, but our strong belief is that what is needed is the inclusion of private sector and broader public sector compliance requirements. So if an organization doesn't make a building accessible, I don't have to go to the Human Rights Code and complain. If they don't comply within an established time frame, then they have a problem with the legislation; I don't have to complain to the Human Rights Commission. Many people who are physically or emotionally challenged do not have the mental capacity or the financial resources to complain through the Human Rights Code process.

0950

The other thing is timelines. If the organization that needs to make their building accessible has plans to do it but never accomplishes it, it's a very lovely idea but it's not going to happen unless I go and complain. So there should be definite timelines in the legislation requiring compliance within a period of time and a remedy structure for people who want to make this legislation work. The concept that businesses will get in line or follow the spirit of the legislation without requirements is not necessarily there.

I hope that our presentation has been helpful. I think reading our brief, which goes much more into specifics on the legislation, will give you some of our specific critiques.

The Chair: We have approximately three minutes per caucus. I'll start with the official opposition.

Mr George Smitherman (Toronto Centre-Rosedale): I have one question. My stepmother has MS. Luckily for her, she's been in remission for a long time, but I very much appreciate your words. I'm interested in knowing, when this bill was first presented, was your first opportunity to examine the contents of it provided by media coverage of the bill's presentation or actual consideration of the legislation?

Ms Grootzinger: I'll take that, because I'm the technical assistant. We did have an opportunity to meet with the minister, I think it was back in May, to sort of provide our basic requirements of what we thought would make an effective Ontarians with Disabilities Act. Prior to the introduction of the bill, we did have a small opportunity to meet again with the minister in some of the consultation groups he had set up. While not at that point having access to the actual wording of the legislation, there was a feeling at that time, even when we heard the wording, of some of the concerns Kris had, and those were basically the seeming lack of enforcement and the timelines.

I would only reiterate some of the things Kris has said in terms of it being all very well and good to make plans, but if you have no mechanism for ensuring that those plans are enforced and you just go on making the same plans year after year, I think people who have disabilities are going to be very disappointed.

Mr Smitherman: A very quick follow-up to that: one of the things I've heard from some people who were here in the chamber on the day the bill was introduced and who read the media coverage of that introduction was that they, and in fact Ms Yaworski, who spoke earlier this morning, were concerned that some of the media stories might have created an artificial sense of expectation among disabled people, that the quality of the communication on the day of the event far surpassed the content of the bill in terms of its meaningful impact on lives. Did you go through any of that emotional reaction?

Ms Grootzinger: I think our organization was disappointed, and I would think it would go back to the vision statement that was signed by Mr Jackson and Mr Harris, which is wonderful. I love the vision statement

that was unveiled on November 1 at the Easter Seal Society building. Unfortunately, when we actually saw the wording of the bill, it did not live up to that. I would urge this committee to go back to that original vision statement and try to put into the existing bill some wording that would actually capture the goal that is in the vision statement, which Mr Jackson so eloquently presented at that time.

Ms McDonald: Along that line, my comment to the committee that the view is very different from down here—perhaps the reporters who said terrific things about it extemporaneously were standing up a little higher. The view is different from down here. Getting into a building—for example, there was a restaurant where the only entrance that was accessible to my scooter forced me to enter through the kitchen, by the garbage cans. That was the only accessible entrance to the restaurant. That restaurant has since gone out of business. I won't necessarily tie those two items together; however, they certainly lost my business at that point.

The view is a lot different for people with disabilities. I'm not trying to make business for myself, but the advice and counsel of people with disabilities to people like yourselves is critical: ask us to go in to check a washroom and see if I can get into it with my scooter.

Mr Martin: On page 3, you mention no reduction of rights, something that has come up on a few occasions this morning. Just in case people are not understanding what we mean here, in this ARCH Alert document, on page 3, it says, "A notable difference in language between Bill 125 and the Human Rights Code is that the bill directs that various planning initiatives are to 'have regard to accessibility,' a somewhat vague direction, while the code requires accommodation up to the point of undue hardship."

Ms McDonald: We have suggested, in our brief, wording to add an amendment to the legislation as it presently stands, for a way to clean that up. So Deanne has provided you with the tool to correct that deficiency in this bill.

Ms Groetinger: Just a comment on the words "have regard to"—I've talked to a number of people in various jurisdictions about this. The language they are using is rather odd language to use. It might be an opportunity at this committee level to clean that up a little bit, so we don't get into the issue, which several people have raised, that this bill might actually have the not-intended effect of reducing the existing rights of people with disabilities.

Ms McDonald: "Have regard to" is magic loophole language.

Mr Martin: Yes. I think it should raise a red flag for all of us in terms of what other things might be in here that might give people the wrong impression or lead us down a path that would.

Mr Hardeman: I too have MS very closely in my family, so we thank you very much for your presentation.

I want to assure you that there's definitely no intent in the legislation in any way to take away the rights the disabled community presently has in the Human Rights Code. If that is what the appearance is, then I can assure you we will be looking at that to make sure that's covered off. We very much appreciate your comments and suggestions as to how that might be done. So we will take it under review.

I just want to go to the purpose of the legislation. You reworded it. I'm having trouble trying to find out the differences between the purpose as written in the legislation and your suggestion as to what it should be. To me they seem to be quite similar. Could you just help me with what part of it is the significant difference? You suggest, "The purpose of this act is to achieve a barrier-free Ontario for persons with disabilities through the identification and removal of existing barriers and the prevention of new barriers with the significant involvement of persons with disabilities. Currently it says, 'improve opportunities for persons with disabilities and to provide for their involvement in the identification, removal and prevention of barriers to their full participation in the life of the province.'" It would seem to me that they are almost identical, except that they're worded differently.

Ms McDonald: It's kind of the tone. I don't want you to take care of me; I want you to allow me to live as full a life as I can.

Mr Hardeman: I guess that's really why I asked this question. It seems to me that the present purpose says we will create an Ontario that allows for the full participation of people, where yours says we shall create a barrier-free Ontario. It just seems to me that relating it to the individuals is more appropriate than what you will create. We will provide the ability for the disabled community, to create for themselves full participation in our society. I guess that's really why I question that.

Ms Groetinger: I agree with you. Those are nuances and if we were all lawyers we could spend the rest of the day arguing, which I suspect we don't want to do. I think our intent was there could be some—if one takes the current language of the purpose and tried to create opportunity, it's sort of doing it in a two-stage manner. We thought that a different, more direct language might get to it faster as opposed to, "Well, we're going to create this opportunity, but we're going to do it in an almost arm's-length way." Unfortunately then, with some of the other things that Kris was mentioning, then it's coupled with the fact that it really only talks about public sector involvement initially, in terms of municipalities and the wider public sector; it talks about basically filing plans. Then we do actually worry about the purpose of the act. I think that perhaps that might be more directive too. I think it would be something that we could probably live with if there were more teeth in the rest of the act.

The Chair: On behalf of the committee, thank you very much for your presentation this morning.

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BLOORVIEW MACMILLAN CHILDREN'S CENTRE

The Chair: Our next presentation is from the Bloorview MacMillan Children's Centre. I would ask the presenter or presenters to please come forward. If you could state your name for the record, please. On behalf of the committee, welcome. We have 20 minutes for your presentation this morning.

Ms Sheila Jarvis: Good morning. I'm Sheila Jarvis, president and CEO of Bloorview MacMillan Children's Centre. On my immediate left is Greg Contaxis. Greg is a young person who has used services at Bloorview MacMillan Centre. He is currently a volunteer in our organization and a mentor for many of our youth at the centre. On Greg's left is Cal Millar. Cal is the parent of a young girl who uses services at Bloorview MacMillan Children's Centre. Cal is also a member of our board of trustees. Thank you very much for allowing us to come this morning and share with you some of our remarks on this important legislation.

We have just circulated to you a folder of material which contains our speaking remarks this morning as well as our position paper on this legislation.

Staff, young people and families at Bloorview MacMillan have expressed strong, unanimous support for an effective, comprehensive and enforceable Ontarians with Disabilities Act. This legislation is viewed as a key instrument in enabling children and youth with disabilities to achieve their personal best.

We wish to congratulate the government of Ontario for releasing its Vision for Persons with Disabilities. This declaration truly confirms the right of every person with a disability to live as independently as possible, to enjoy equal opportunity and to participate fully in every aspect of life in our province.

We also wish to congratulate the government on introducing Bill 125, which we see as an important first step to working with every sector of Ontario society to move toward a province in which no new barriers are created and existing ones are removed.

Bloorview MacMillan Children's Centre believes that, by strengthening this legislation with certain amendments, the government of Ontario, with the disability community, can begin to achieve the important principles that are stated in Ontario's Vision for Persons with Disabilities.

Our comments and recommendations today focus on a few areas important to children and young people with disabilities and their families.

Definition of "barrier" and "municipal services": children and young people with disabilities and their families regularly experience barriers that prevent them from participating in many parts of their lives. These obstacles exist in education, recreation, housing, public transportation, employment and health care services, and they result in many types of discrimination. More information

on these barriers can be found in our position paper on the Ontarians with Disabilities Act, a copy of which you have in your package.

Because of numerous barriers, children and young people with disabilities and their families are disadvantaged in several ways: socially, vocationally, economically and educationally. Not as obvious but equally significant is the emotional and psychological toll these barriers take.

Therefore, Bloorview MacMillan Children's Centre recommends that the purpose as stated in section 1 be consistent with the government's Vision for Persons with Disabilities and that the definition of "barrier" in subsection 2(1) be expanded to include education, recreation, housing, public transportation, employment and health services.

In addition, Bloorview MacMillan Children's Centre recommends that subsection 12(2) require municipal councils to seek advice from accessibility advisory committees on the accessibility for persons with disabilities to buildings and, importantly, programs associated with municipal services, including recreation facilities such as swimming pools, skating rinks, libraries and all of the programs within.

Definition of "disability": in order for an Ontarians with Disabilities Act to be effective, it must contain a clear, comprehensive definition of "disability," so that all children and youth, regardless of disability, derive equal benefit from the law.

Among its many clients, Bloorview MacMillan serves more than 200 infants and up-to-18-year-olds each year who have experienced a severe brain injury from trauma, tumour, stroke or other illness. While brain injuries aren't always noticeable, their impact can be complex and permanent. People of all ages with an acquired brain injury may experience emotional, learning, physical, psychological and social difficulties.

At Bloorview MacMillan, we enable children and youth with severe acquired brain injuries to reintegrate into their homes, schools and communities. Including people of all ages with an acquired brain injury in the Ontarians with Disabilities Act will support these people immensely. Therefore, Bloorview MacMillan Children's Centre recommends that the definition of "disability" in subsection 2(1) be broadened to include acquired brain injury.

Now, over to Cal Millar.

Mr Cal Millar: As she alluded to, my name is Cal Millar. I have an eight-year-old daughter named Samantha who first attended Bloorview MacMillan's school in what is called the IET program, or integrated education therapy program. She's now in her second year at her community school, which is grade 3 for her, and it's a publicly funded school close to our home.

Samantha uses a special computer in order to communicate with us and the outside world. She requires classroom support in order to learn, in the form of a full-time attendant. Like other parents of children with disabilities, I'm constantly required to advocate on my

daughter's behalf for her right to get a proper and full education. An Ontarians with Disabilities Act should put an end to our constant struggle and provide all children with disabilities with the education they need and deserve.

While the Canadian Charter of Rights and Freedoms guarantees people with disabilities equal protection and equal benefit of the law, and while the Ontario Human Rights Code prohibits discrimination because of a handicap, in several areas numerous barriers continue to exist.

An example of this is Ontario's Education Act, which was amended in 1989 to guarantee every child an appropriate education. The interpretation of "appropriate education," however, varies from community to community. This, coupled with a lack of funding and support, means that although more children with disabilities now attend their publicly funded local school than happened 10 years ago, many of Bloorview MacMillan's children and their parents and families say that an additional key step needs to be taken: the inclusion of students with disabilities in community schools close to their homes must be made law.

1010

I would also like to add that although brain injury is the leading cause of acquired disability in Ontario children, with more than 6,000 sustaining such brain injuries each year, Ontario's Ministry of Education does not have an acquired brain injury designation in the categories it uses to identify exceptional students. This is why many students with an acquired brain injury, or ABI, are misidentified and don't qualify for the classroom support they need. An Ontarians with Disabilities Act that includes acquired brain injury as a disability and education as a barrier would enable students with a brain injury to attend their local public school and get that education.

Bloorview MacMillan parents also believe that including students of all abilities in classrooms and all school events is the key to breaking down barriers and building positive attitudes toward persons with disabilities across every sector of our society. Students in inclusive classrooms, of which my daughter Samantha is one, learn to appreciate, support and care for people of all abilities. It works both ways: the children with a disability learn how to interact with their peers, and conversely, those we consider "normal" in some way. We welcome the government's commitment to a public education campaign to contribute to overcoming attitudinal barriers in this province.

Therefore, Bloorview MacMillan's Children's Centre stresses the importance of expanding the definition of "barrier" in subsection 2(1) to include, among other areas, education, and broadening the definition of "disability" in the same section to include acquired brain injury.

I'm going to turn it over to Greg.

Mr Greg Contaxis: Good morning. As Sheila said, my name is Greg Contaxis. I'm going to talk about a barrier-free Ontario and what it's like to go shopping. On a couple of occasions I had the experience of going

shopping as usual. Twice in the past—last week as a matter of fact—I went to a Radio Shack store and I knocked over two toys, two games. I had to say, "Sorry." That's unacceptable, because the aisles should be wider so I can get easier access. I believe that if the people who work there can listen to us, then we can make suggestions.

Also, I was in a department store over a year and a half ago, and I knocked over a whole display of china because the aisles were not wide enough for me to get around. I offered to pay for it and they said, "No, it's OK. You don't have to pay for it." I asked, "Are you sure?" They said, "Yes, that's OK, sir." That really bugs me, because they say it's accessible. But I drive with a head control, and it's a bit difficult for me to drive with a head control because I need to keep turning left and right, and that made me knock down the display in the china store.

On transportation: I travel on Wheel-Trans quite a lot. I know there are accessible subways and buses as well. That's all fine and dandy, but I have a very severe eye problem as well, and for me and others too, it's not very feasible. The other reason I say this is because when there's a really bad snowstorm in the city, the regular subway system won't be able to offer to take us to the front door, so that's a barrier in itself.

I have to plan my things one day in advance. That's not acceptable because, number one, I thought we were supposed to be spontaneous. I thought we were supposed to be willing to work for the disabled, for everybody. It doesn't prove to me that this is working for the disabled. When I have to call Wheel-Trans to cancel my trip, even though I'm sick, then I get penalized. If you get more than six cancellations, you'll be suspended for two days if you don't appeal it. I don't find that acceptable because, number one, as I said, we're allowed to be spontaneous and we are allowed to have the freedom and all the spontaneity we want. I'm suggesting that with all the rules and regulations we have to build with, I want my young adult friends and I to have the spontaneity to do whatever we want, just like Vancouver, where you book seven hours in advance and that's all it takes. Do you know what you're doing from day to day? No, you don't.

Those are my points.

Ms Jarvis: Thanks, Greg.

Therefore, Bloorview MacMillan Children's Centre recommends that subsection 4(1) require the government of Ontario to work with persons—with disabilities to develop barrier-free design standards for all existing and new buildings in Ontario, including shopping malls and other places attended by young people with disabilities and their families.

Last, but not least, accountability: laws are only as effective as their accountability mechanisms. Bloorview MacMillan Children's Centre believes that the Ontario government must take a leadership role in ensuring compliance with the Ontarians with Disabilities Act by including accountability mechanisms in the legislation.

Therefore, Bloorview MacMillan Children's Centre recommends that subsection 20(2) specify a role for the Accessibility Directorate of Ontario, in consultation with the Accessibility Advisory Council of Ontario, in holding the government of Ontario accountable for the effective and timely implementation of the Ontarians with Disabilities Act.

In conclusion, staff, clients and families at Bloorview MacMillan Children's Centre believe that, in addition to making good social sense, an Ontarians with Disabilities Act also makes good economic sense. Such legislation will be instrumental in creating an Ontario where everyone belongs. This will save taxpayers money in expenses resulting from the unnecessary dependency and non-productivity of persons with disabilities. As one of our parents said, the way things are now will cost society so much more in the future. The Ontario government is better off spending money now, as it will be saved tenfold in the future. Thank you very much.

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The Chair: Thank you. We have approximately one minute per caucus and I'll start with Mr Kormos.

Mr Peter Kormos (Niagara Centre): Thank you, folks, for coming. Mr Contaxis asked whether people here know what they're doing from day to day. If he joined me at a House leaders' meeting on Thursday mornings, the answer would be very obvious to him.

The point raised about the private sector and access within the private sector, and the private sector especially as it holds itself out to be public, and we're talking about retail stores, we're talking about everything from movie theatres, and the Ontario Human Rights Commission has had to deal with some of them—one of our great concerns is that there is nothing in this bill that puts a clear responsibility or obligation, an enforceable obligation, on the private sector to ensure accessibility. That's one of our great concerns, among many. So I'm simply acknowledging your comments in this regard, the validity of those comments, and hoping they will prompt support for amendments that put some clear obligation on the private sector. We can't wait. It's silly to suggest that we're going to wait. People have waited far too long.

Ms Jarvis: We would certainly agree with that. I think there are ways we can do it in terms of a phased-in approach with appropriate accountability built into it. Certainly, when young people like Greg and parents like Cal raise issues with the private sector about physical accessibility, attitudinal barriers, difficulties with employment, there is quite an interest in the sensitivity there, but a huge amount of awareness I think needs to take place in the public sector about simple things they can do to actually make their businesses much more publicly accessible to everybody. So we would agree.

Mr John O'Toole (Durham): Thank you very much for your presentation and thank you, Greg, for making us aware of how difficult it is to be spontaneous. As Mr Kormos said, sometimes spontaneity here isn't very positive either.

There are three points. I certainly hear the definition issue and I sometimes question, because it is to some extent two parts of the bill, section 2 and section 26, that try and define it. Perhaps it doesn't specifically address acquired brain injury, but the words it uses, "an injury or disability for which benefits were claimed" etc are certainly something I want to make sure—we've heard it before.

I would also say, Mr Millar, with respect to special education, I'm surprised, really. I was a school trustee and was on special-ed advisory committees etc. The full model today is funded on an integration basis. It used to be a segregated model. Now it's mandatory integration. From what you've said, you're very supportive of that, and that's what I heard as a parent and also as a trustee, that integration was the preferred option for first educating the general public about the barriers. My only question is, if there's anything in what you've said re the accountability mechanisms, the five-year review and other kinds of review with the directorate that's to be set up, I think I would take that advice and try to move forward with it.

Ms Jarvis: Even with the Education Act and the amendments that were made, which we of course fully support, there are still obviously a lot of day-to-day barriers in terms of young people like Samantha Millar getting a good education. It's not just in the classroom, but field trips and things like that are usually not available for kids with special needs. So it has gone a long way, but if there were a better definition built in here, I think when we look at plans for the ministry and schools to work toward greater accessibility, we could then enforce it.

Mr Smitherman: Greg, I want to say to you that the power of your presentation will be in my mind as I make up my mind about how I'm going to vote on this. At this moment I'm opposed to this legislation because the problems that you speak to are not addressed.

My question is to you, Ms Jarvis. You use in your presentation the words "important first step," and in an answer to a question you used words like "phased in" and "seeking to see some enhancements." I'm a gay man and I have been involved, along with my community, in the struggle toward full equality. I will tell you that although from time to time I am somewhat happy that progress is being made, every day that I do not have full equality is a day that I am a second-class citizen. This is a difficult question to ask, but I'm wondering if people who have the responsibility to be advocates on behalf of disabled people, to speak on their behalf, have not become part of the problem when they use language which is in my view, in response to this bill, rather inadequate.

Ms Jarvis: I guess we do see, though, this bill as a very good first step. I've used that term and I've also used the term "phasing in." We have to begin somewhere. If this is something that is achievable in the short term, we support that. We have had great debate internally with our clients and families about that very issue: should we say no or should we suggest that we go for-

ward, make as many amendments as we can to strengthen it today and work with it? It does, I think, put in place mechanisms that will make it better. It still won't be perfect, but I think there are mechanisms there that we can work on in order to make significant improvements. We see it as a vastly better step than what we have today, which is really no legislation at all.

The Chair: On behalf of the committee, thank you very much for your presentation this morning.

MIKE COCHRANE

The Chair: The next presentation is from Ricketts, Harris. If the presenter could please come forward and state your name for the record. On behalf of the committee, welcome.

Mr Mike Cochrane: My name is Mike Cochrane. I'm a lawyer in Toronto with a firm called Ricketts, Harris. The reason I am here today is that I have about 300 clients right now who are disabled. They are deaf students who went to three schools in Ontario: the Sir James Whitney School for the Deaf in Belleville, the Ernest C. Drury School for the Deaf in Milton and the Robarts School for the Deaf in London, Ontario. It may shock you to hear that I've got 300 clients from those schools, but some of your colleagues will tell you that I appeared before the standing committee on justice and social policy back on October 30 to talk about a problem I've had and that my clients have had for the last seven years in Ontario trying to get the government to listen about problems that occurred in the schools for the deaf in this province.

Just before I go into the details of that, I should probably point out that with me today are Bill Conley and Maggie van Vorst, who are two of my clients. They are both students who went to schools for the deaf in Ontario and they deserve a lot of the credit for me, as just a regular practising lawyer who knew nothing about the deaf community in Ontario, getting immersed in a bit of a nightmare that was going on in our schools for the deaf. Bill and Maggie really, as I said, should get a lot of credit for sticking with it and making sure that people heard about what happened at the schools and for telling their own stories about physical and sexual abuse that occurred in our schools for the deaf.

I've mentioned to you that I told the standing committee on justice about these problems. I also want you to know that I've met twice with the Premier's office on this subject. I've met with the Ministry of Education numerous times. I've met with the Ministry of the Attorney General numerous times to talk about it. It's kind of incredible that it remains a secret, that nobody talks about it. I've met with Mr Parsons, and his colleague Michael Bryant, the critic for justice issues in the Liberal Party, and even today it was pointed out to me that this newspaper that serves the deaf community, called *Silent News*—that's what it looks like. It's a paper that gets pretty much North American distribution. This is their issue from December 2001 and inside is an article

that refers to Mr Parsons's comments in the House: "Canadian Ministry Blasted over Handling of Sexual Abuse Allegations." That article refers to Mr Parsons following up on a meeting with me about the way deaf people were not being listened to by this government in relation to allegations of physical and sexual abuse that happened at these schools.

1030

I would suggest to you that you call up the Hansard with my remarks to the standing committee on October 30. I'll tell you exactly what I told them. In 1994, Bill and Maggie showed up in my office in Toronto saying that there had been physical and sexual abuse at a school for the deaf in Belleville. I got in touch with some former colleagues of mine at the Ministry of the Attorney General for Ontario. They agreed to come down to my office and they met with students. They brought interpreters with them and they were interviewed. We all came to the conclusion that something pretty serious had happened at the school, that it seemed there had been physical and sexual abuse. There had been criminal charges laid against teachers and staff. There had been convictions. The more we looked into it, the more students we met who made the same kinds of allegations. We went from having about half a dozen people in my office to my having about 300 names of students who had the same or similar allegations. I'll give you the abbreviated version of this.

As a result of non-stop pressure from myself, Bill Conley and Maggie van Vorst and others, we eventually persuaded the Ministry of Education to create a system for inquiring into these allegations at Sir James Whitney and doing something about it. This usually comes as a bit of a shock to people, but as a result of that investigation and inquiry, a private compensation system was set up where deaf people who alleged that they were physically or sexually abused went to tell their story to an investigator, the investigator would do some work and their case would be sent to a private arbitrator. The private arbitrator was Sandra Rodgers, who at the time was the dean of the University of Ottawa law school. She conducted the arbitrations, and 185 people who went to Sir James Whitney received a total of \$8 million in compensation.

In December 1999 the Ministry of Education said, "We've had enough. We're not going to listen to any more claims," and they slammed the door on the deaf people who had not even heard yet that there was a compensation system in place, because the government had not publicized the fact that they were making this compensation, or even this process, available for deaf people. That meant that 185 people who live in Ontario—and I can tell you, probably the vast majority of them are on Ontario's disabilities support program—received their compensation, but the people who hadn't got their claim in by December 1999 got nothing. I can tell you that in some households, the husband got his claim in on a Monday and the wife got her claim in on a Tuesday; the husband received an opportunity for compensation but

the wife did not, because an arbitrary deadline was set, a deadline that nobody even knew about. The government simply decided they weren't going to have any more compensation claims considered from Sir James Whitney school.

The people who missed the deadline—we've been trying for years, and this is why I've had these meetings with the Premier's office and his staff and with Janet Ecker's staff and with, when he was Attorney General, Mr Flaherty and his staff. They know all about this. Mr Parsons raised it in the House. Everyone knows about it and no one is reconsidering opening the door so that the balance of these students can come forward and tell their stories and have an opportunity of compensation the same way as everybody else.

The reason I mention all this in the context of this legislation is that it came as a bit of—I got the kit like everybody else. It's pretty nice. It even has references to deaf people on it. On the back, there's some signing across the top, images that are put right on the brochure. I don't know if anybody knows what that means. There's no translation for it. It says "Ontario." Down at the bottom it has some deaf people signing. What they're signing is "I love you." On the inside, there's another deaf image of somebody saying "love" in the sign for embracing. But inside the kit itself there's no mention of deaf people. There's nothing in here for deaf people that I can see and there's certainly nothing in here that would be of any benefit to any of my clients.

That causes me concern because, even if you go through some of the highlights in the explanatory notes for the legislation, number 3 says, "Where technically feasible, the government is required to provide its Internet sites in a format that is accessible to persons with disabilities." I would assume that includes deaf people. In my case, it involved hundreds and hundreds of people who live in the province now and need to communicate with the government now, never mind Internet sites. They weren't even told that there was a multi-million dollar compensation plan available for them that they should apply to and have investigated.

The same applies with number 4, where it talks about government publications being available in a format that is accessible to the person. Many deaf people can read. Lots of deaf people can read. Many of them can't read very well. Many of the ones I've met are illiterate, in my view, because of the education they received in schools for the deaf. They don't even get the publications. They don't even know that there's a publication available for them, never mind being able to read the ones that are available.

I was concerned when I saw this kit and I thought it would be worthwhile coming back to tell the committee about how deaf people in Ontario are actually being treated. I didn't know any deaf people before I had this case. I've met hundreds since then. I've driven all over the province, in many cases at my own expense, because the government was not interested in paying the legal fees for a lot of the people who were involved in these

cases. I've driven to many, many small communities and learned that what has happened is that deaf people in many cases got a very bad education in our schools for the deaf and graduated pretty much illiterate, without skills, and they kind of drifted into many of the smaller communities where they can eke out a living receiving disability benefits and really trying to keep to themselves pretty much. We haven't made it easy for deaf people to participate in Ontario society or to have the opportunities that are referred to on the cover of this brochure: "Independence and Opportunity." That's a cruel joke for many deaf people in Ontario.

I would urge your legislative research person, Mr Rampersad, to inquire into how many people who are receiving Ontario disabilities in this province are deaf and how many of those people went to the schools for the deaf. I was in shock when I saw the number of my clients that were receiving disability benefits.

The reason I appear here today—and I want to be able to take questions but I just want to tell you a little bit about these cases. Here's the really hard part: the government has closed the door on the people from Sir James Whitney. There are two more schools. I now have dozens of clients from Ernest C. Drury School for the Deaf in Milton who make the same allegations, because when they opened E.C. Drury, in some cases they moved staff from Whitney to Drury. Now I have six clients from the Robarts school in London, six girls who were sexually assaulted by the same teacher, who went to trial and was convicted, received a sentence, has served it and is back out in the community. After they gave their evidence at that criminal trial, those six women filtered back into the community, no one ever telling them that there was a possibility of receiving compensation for the harm they had suffered at this teacher's hands.

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The sorry part of this whole story is that there are many allegations, there are many charges that have been laid against teachers and staff, there are convictions and there are investigations ongoing. As a matter of fact, when I made my presentation to the standing committee on justice, there was a preliminary inquiry about to start the next day in Belleville related to criminal charges against another teacher from that school. So this problem is nowhere close to being dealt with, and I would suggest that if the government is really enthusiastic about going forward with legislation that is supposed to increase the independence and opportunity of people with disabilities, they should take a look at cases and situations that you have right in front of you, where people and lawyers and others have been knocking themselves out trying to get these people some help. They wouldn't benefit from this legislation, even if it was passed tomorrow. But you could do a lot to help deaf people in Ontario simply by dealing with the problem that is very much in front of you right now.

I just want to conclude by saying this, and this may sound strange coming from a lawyer dealing with these cases. Where people in the government aren't going to

talk to me, I'm just going to sue. We tried to avoid it; I'm just going to sue. We'll have hundreds of lawsuits and we'll let the courts and the justice system and the budgets for the Attorney General swell to deal with the hundreds of cases that will go into our justice system. That's what I'm going to do.

But one thing that's become very clear to me, just as a regular citizen dealing with these people, is that something very serious needs to happen in the area of education of deaf people in Ontario. One thing that I would put before you—if I could make any amendment to this legislation, this would be it: I think that Ontario has an opportunity to really lead the way in Canada by creating Canada's first university for deaf people. When deaf people graduate from our schools, they go to the United States to get any post-secondary education. There's really nothing for them here. They go down to universities that we've heard about like Gallaudet. Mr Conley actually went there. I think that part of the reason that Bill Conley is such a with-it participant in Ontario society today is that he went to Gallaudet University in the States and he knows how to speak up for himself and how to speak up for other people in his community. Why we don't have that kind of opportunity here in Ontario, in Canada, is a mystery to me. At a time when we want to do things for the disabled community, this would be a fabulous thing that would be of benefit to deaf people, first and foremost in Ontario, but to deaf people across Canada, and it would be good for Ontario. If we're open for business here and we want business, let's open a university that helps deaf people.

Those are my remarks. The only thing I really ask of you is to go back to your respective caucuses and ask them questions about the treatment of deaf people in Ontario in particular, in these cases that are pending right now from our schools for the deaf.

The Chair: Thank you. We have one minute per caucus, and I mean one minute per caucus.

Mr Hardeman: First of all, I wanted to say that the issues of the situations that you've described in the different schools I don't think are acceptable to anyone. I appreciate the fact that you mentioned that you'd talked to a number of people in government, and I hope that there are solutions found to deal fairly with those people.

But I do want to point out, in the definition of "disabilities," in fact it's a degree of physical disability, infirmity, malformation and disfigurement, and then near the end, impediments, deafness or hearing impediments, muteness or speech impediment or physical reliance on a guide dog or other animal. So in fact, the deaf are specifically mentioned in the definition of a disability. I think as the whole bill relates to disabilities, it includes, contrary to your comments, the deaf.

The Chair: To the official opposition, Mr Parsons.

Mr Parsons: I write a lot of letters to ministers on issues regarding my constituents. Interestingly, this is the only topic where in the last two years I've not had an answer to one single letter from the minister regarding that, or any reaction out of the House. So I can under-

stand the frustration that the individuals you represent are bringing forward.

The justice system is difficult for anyone to access. It appears to be almost impossible for the individual who is deaf. What would have to be in a real ODA to level the playing field so that an individual hearing-impaired or deaf or deafened could have equal access to the justice system?

Mr Cochran: I would say the one change that could be made specifically for the deaf is to do something on the interpretation in the courtroom itself. There was one trial related to allegations against a teacher at Sir James Whitney. It's not an exaggeration to say the women who came forward to testify were subjected to a very tough cross-examination, and there were problems, and the problems related to the difficulties around interpretation of what these women were trying to say had happened to them. There were acquittals as a result. So if something ends up in the legislation that reaches out into the justice system to improve interpretation in the courtroom, real time or actual interpretation like we're receiving today, that would be a big help for deaf people.

Mr Martin: This government has obviously made some choices. One of the choices they made was to give tax breaks to corporations and other individuals in our community. To do that, they had to find the money somewhere. The money is money that's not available for deaf interpretation, it's not available to solve the problems that you've put on the table here this morning and it won't be available to open up a university for the deaf in Ontario and it won't be available to support any of the legislation that they're putting before us today, because there is no reference to any resources. So if I were you, I wouldn't be holding my breath.

Mr Cochran: I can tell you, I'm not going away and neither are these deaf people. One way or the other, it's going to be dealt with, if it's in front of a judge or it's in front of committees like this. I've been on this thing since 1994, and I've told everybody who will listen we're not going away.

The Chair: On behalf of the committee, thank you very much for your presentation this morning.

MILTON DEAF ACTION GROUP

The Chair: Our next presentation is from the Milton Deaf Action Group. I would ask the presenters to please come forward and if you could state your names for the record. On behalf of the committee, welcome.

Mr Vance Youngs: My name is Vance and I'm representing the Milton Deaf Action Group. I'm from the E.C. Drury School for the deaf.

Ms Tanya Sturk: I'm Tanya Sturk and I'm also representing a group at the Milton school for the deaf, the Milton Deaf Action Group.

Ms Jessamyn Roach: I'm Jessamyn Roach, and I'm also a representative with the Milton Deaf Action Group. I'm also a student at the Milton school for the deaf.

Maybe I'll begin with my comments. For hearing people in the province, students, 75% of them have employment, and I'm just looking at teenagers. If we look at deaf people, only 25% of them have jobs in Ontario. We need to look at that and say what's wrong with that. If we go in to apply for jobs, we have great resumé's with all kinds of experience and a hearing teenager goes in and has nothing on their resumé, they get hired over a deaf person. I think that hearing employers look at us and don't feel that we can really do anything as employees.

I worked at Chudleigh's and when I was hired there—I guess I was hired there in the fall, in September, and I worked there all the way until October 31 and I worked there every weekend. I'd be there 9:30 to 5:30, eight hours, working my shift. I'm able to run a cash register, to be a cashier. I had done that before. I'm able to use some of my speech and able to hear people OK, but they told me that I couldn't. They had me cutting apples. So I would cut apples for eight hours a day at my shift. I was really bored. There was no challenge in doing that. I'd see some of the other people and they could do a variety of different jobs, but I had to stay there and do this one job, over and over. I had to do this. After about two months of cutting apples, I looked at that and I said, "There's no challenge in this for me to do that."

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I don't think it was fair, because deaf people have capabilities. You see deaf people working at McDonald's, where they're cleaning the floors, but they could be the people who are doing the cooking. Hearing people put a lot of barriers in place for us. To be here in a hearing world, we need to have those barriers removed. So I hope that would happen.

Ms Sturk: My comments have to do with communication and safety. If we look at going to movie theatres, there's no excuse for there not being captioning of movies in movie theatres. We realize that money is an issue, but if you look in the States, there's captioning there. If they can afford it, we can afford to do it too. They've got first-run movies that are out with captioning. I go to a movie and there's no captioning. Why shouldn't there be? Why shouldn't there be options in place for us for that sort of thing? Why should we be limited by the number of movies that are captioned at all?

Why shouldn't there be some kind of discount as well for people going into theatres who can't hear? I asked for a discount at a movie theatre and I was told no. I was with a group of friends of mine who are hearing and we went to the movie theatre. When I asked for a discount for admittance, because all I can see is the visual part of the movie, they said no. I said OK to that and I went in, but friends of mine saw a girl there in a wheelchair and she was given a discount, a half-price admittance. I don't understand that, because she could understand everything in the movie. She was in a wheelchair, but she could still understand the movie, and I would be there paying the full price and I can't understand all of it. So that's not really fair. Those are real barriers in movie theatres. If

you want to go to the movie, you can't. You have to wait until it comes out on video.

Then, when it comes out on video, a lot of the movies don't have closed-captioning on them. They used to, but there's less and less. If I go to the movie and there's no captioning on it, there's no point in that. So it's very frustrating and anger-making. You want to go and see the movie in the full-sized theatre. Then when it comes out on video, there's no captioning on it either. These are movies from 1999 that I've rented. All movies should have captioning on them now. There was a law that more and more of them did, but it seems now there's less and less of them. That's really very frustrating.

The TTY pay phone is something I want to talk about. If you look at Ontario, there are six pay phones with TTY in Ontario. In Buffalo, at the one airport, they have 15 TTYs in place, but if you look at Ontario, there isn't one anywhere. You have to go to the States if you want to use a TTY pay phone; 15 at one airport and we have six across Ontario. That's really embarrassing and it's a real barrier for deaf people. If I need to contact my parents at home, if there's an emergency or something, I can't contact them. And if I get home late, I get in trouble because I'm not able to use a TTY pay phone to call them to let them know I'll be late.

The Milton mall has one TTY, but there was no help from them in that. We had to take that on ourselves. We had to raise over \$1,000 in order for that to be put in place. They said, "We won't do it because there's no profit in it for us." That's not fair.

If I have to call my mom because I need to be picked up from work—I don't have a car; I don't have my licence—there's no phone, there's no TTY for me where I work—I have to ask my boss or somebody at work to call. I don't want to be dependent on other people to make calls for me. I'm my own person, I'm independent, and I want to be able to do these things for myself. When I'm older, as an adult, do I want to be in the same position of asking people to make phone calls for me? That's humiliating. Imagine that.

We should be given these kinds of opportunities. Maybe this is something for you to consider. This is the kind of suffering we've had in place. All of us should have that kind of independence and opportunity to be independent put in place for each of us.

Mr Youngs: I want to talk about athletics and sports and that kind of participation. If you look at deaf people across Ontario, they're involved in their communities with football, soccer, hockey, in each of the communities they live in, but there are many barriers in place. It's not fully accessible for people across Ontario. We're sort of kept down, and one of the ways we're kept down is where coaches talk to players on a team. There's no interpreter if I'm there.

In my own personal experience, I was involved with a hockey team for about 10 years, all the way through the 1990s, and I finally quit and didn't play any more. One of the reasons I quit was that the coach would give everybody a 15-minute explanation of something and I would

sit there and have to ask the coach, "What did you say?" I would have to ask him that. He'd give me a one-line summation of everything else. All the other players would know our strategy and where we were going, but I wouldn't. I would get the one-line summation. So I wasn't treated fairly.

There are many deaf people who are involved in sports, and they really do have to put up with a lot. They have to work harder; they have to find the interpreters for themselves. It puts the real onus on us and it's unfair. There are a lot of athletes who could be really very good athletes, but they drop out because of the frustrations. There is so much put on them in order to try and make it work for themselves that isn't there for the hearing players. Everything is always hearing-focused, and they forget about providing an interpreter for us.

I'm really happy that my dad has been as helpful to me as he has. He's been there advocating with the coach to make sure that I had accessibility. He would be there telling me what was being said, those sorts of things, because people wouldn't write notes. Most of the parents who are there for their kids, you'll see them step forward for their kids, and then the coach will follow what the parents have said. It's really important that that happen. The parents are fans as well and sit there. For us on the bench, where the coach is talking to us, there's no interpretation there on the bench as well. It's really sort of gestural communication with the coach, and it's not very fair. I quit because of that. There wasn't the access provided for me with my coach.

If you do ask for an interpreter for an event or a tournament or maybe a championship game or something, or award ceremonies—I've been to those and people are making comments and talking and I stand there and I don't know what's being said. They are mentioning people's names, who won what, and if they do bring in an interpreter, it's not somebody who really is certified. It's somebody who signs a little but isn't really interpreting, and all I'm getting is, "Um, ah, um, ah," and "Oh, it's your name they're calling," but nothing else. They really should be paying for people who are professionals, who are skilled and able to provide the interpretation so we get the full access we need.

Sometimes when I've talked to friends of mine who are deaf, they talk about the same thing. We feel like we're sometimes taken advantage of by hearing people, and part of that has to do with communication. If we're playing in house leagues or things like that, like in Milton, the ref blows a whistle to stop the play. I wouldn't hear it, and I'd feel like a fool, because I'd keep playing and nobody else had told me that they had blown the whistle. So there should have been something that was used gesturally to let us know that the whistle had been blown.

Or this happened as well: we were playing another team and all of them knew that I was deaf and the players realized this. I would keep playing even though the whistle had been blown and they'd do the sort of thing

where they'd stop moving so I'd think that the play had been called, and then they'd steal the puck from me.

I do see that for the deaf community access is really needed. We need the use of sign language interpreters for young people, for older people. We all deserve this kind of access. Our position paper from the Milton Deaf Action Group that talks very specifically about the ODA and the improvements we see that could be made to it. I hope you would read it, and I appreciate your taking our comments today.

The Chair: We have approximately a minute and a half per caucus, and I'll start with the official opposition.

Mr Parsons: An interesting presentation. I saw a story on US TV a week ago about three individuals who were in the World Trade Centre at the time it was struck by the jet and they had no idea what was going on. There was no way to communicate with them at all in some sense.

This in my mind isn't really an ODA. But I want to thank you because the ODA isn't just for you; it's for me. When a friend or a neighbour or a relative of mine can't go to a theatre and watch a movie, I don't go to the theatre and watch the movie either. It's not you and us; it's us. We're all together and we need to address the fact that there has to be an act that brings us together.

My question to you is, from your viewpoint, the fact that it does not apply to the private sector, does that make it a meaningful act to you in any way?

Ms Sturk: Well, it should apply to business too; it really should. It should apply to business as well. It should.

I just want to answer your question, or perhaps make a comment where the ODA applies to as well, and with your help it can be successful. We're the ones who actually undergo all the stress and oppression of this. We're the ones who suffer, and we really do know it from the inside out. You can express understanding for us and say, "I appreciate your experience." If you really do, make this a better law, give us the opportunity and provide an equal playing field for us. Yes, equality and an equal playing field is very important.

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Mr Martin: I want to thank you for coming today. I think it takes a lot of courage to come forward, particularly as young people, to make the political statements that you're making here this morning. I think it's radical of you, but that's what's required, for people to take radical action, particularly where human rights are concerned and your ability to participate in society is concerned, because you have a lot to offer, and that's being minimized at the moment. I think it's commendable that you would speak on behalf of your community and come forward today.

Government can deliver for you a lot of what you're asking for, if it only had the political will, and you have to continue to do what you're doing to make sure that in fact they do, that we all do here. This government has made some choices. It has decided to give tax breaks to corporations and individuals across this province, and

because of that, there isn't the money available anymore to do the types of things that you need—interpretation, for example. We all know that it costs money, but it's money well spent. It's a good investment in human potential, and we need to be able to do that. We need to be willing to do that and understand why it's absolutely necessary that we do that.

I don't really have a question as much as to encourage you to keep on being a group of action, to take radical action, to not be afraid to come before groups, like you've come this morning, and to demand the kinds of changes that you need. This bill isn't going to do it for you, unfortunately, but we'll keep working with you on further initiatives and efforts to make sure that government lives up to its responsibility and understands that it serves everybody in this province and that it can, if it has the political will, in fact do that.

Mr Carl DeFaria (Mississauga East): I want to thank you for your presentation. I want you to know that the impact of your presentation is much greater than the usual impact when we have young people coming out and being so versatile in putting their position, as you have done this morning.

I want you to know that it's for young people such yourselves that this government has introduced this bill, and we will be working to make sure that this bill has the mechanism to provide a better Ontario for people such as yourselves.

I know this is a difficult question, but what's the major concern for young people such as yourselves, looking into the future? Is it education or is it translation? What's the single biggest worry that young people such as yourselves have, looking into the future?

Mr Youngs: Well, if I speak for myself, education. But as well, I think for students who are going to schools for the deaf, we need to fight for our rights. If we look at mainstreaming of students, there isn't a sufficient number of us in any one place to be able to have the awareness to take action. So it's education, and it's also—yes, our future.

Ms Sturk: Well, interpretation as well, because we do need interpreters who are skilled in order to make the education worthwhile. We also need to look at the schools for the deaf that may not provide what we need, so then we go to another educational setting where they do provide the courses. But then there's no interpreter or there's a poor interpreter who's been put in place or they put somebody in place who can barely sign at all. So then how am I to know what's happening in the course that I'm taking? That's not fair, and then that screws up the whole course. It's very important information that we're getting, and you can miss out on all the teaching that takes place.

So it's not that we can't do it; it's what's not being put in place for us that is an impediment for us, and if it's tax cuts that mean we can't have interpreters, that's an impediment. If the resources are put in place, our education can actually be as good as it could be for anyone else.

Ms Roach: For me, I want my kids to not have to go through what we're going through. I want them to go have fun, play hockey, play soccer and just be kids and go see a movie, go to the mall and be able to call me if they need to because a TTY will be there for them. All the things that we can't have right now I want them to have.

Mr Youngs: If I could just add to her comments, all of us, as future parents who will be deaf, want to have something for our kids. We look at what we've been through. We want all of this to be in place for them, so we're willing to work in partnership with you to see a better future for all of us.

Ms Sturk: It's not an us-them scenario, but a working-together one. Children themselves are the future; disabled or not, they are everyone's future.

The Chair: You're a great team. On behalf of the committee, thank you very much for your presentation this morning. Good luck.

ASSOCIATION OF MUNICIPALITIES OF ONTARIO

The Chair: Our next presentation is from the Association of Municipalities of Ontario. I'm sure that's going to be a tough act to follow.

On behalf of the committee, welcome. If you could state your name for the record.

Ms Sandra Hames: Thank you. Good morning. My name is Councillor Sandra Hames, with the city of Brampton. I'm the chair of AMO's committee on the Ontarians with Disabilities Act.

AMO is pleased to respond to Bill 125, the Ontarians with Disabilities Act. AMO congratulates the Honourable Cam Jackson, Minister of Citizenship, and his staff in the development and introduction of Canada's broadest disabilities legislation. AMO is looking forward to continuing the working relationship between the minister and the municipal sector through AMO.

As government statistics show, persons with disabilities and the people involved with them represent a significant and growing part of our population. At present, more than 1.6 million Ontarians have disabilities. It is estimated that in 20 years, one in every five people, or 20% of the population, will have a disability. In the same time frame, there will be millions of other people—family, friends, co-workers—who will be associated with persons with disabilities.

Persons with disabilities are a significant resource. Persons with disabilities Canada-wide have the potential spending power of \$20 billion to \$25 billion and offer a relatively untapped pool of human capital. As a result, persons with disabilities play a significant role in our communities and in our national and local economies.

The ODA provides a framework for change, where the public and private sectors alike can work together with the goal of providing persons with disabilities equal opportunities, barrier-free access, full citizenship to increase the quality of life for everyone.

A lot has been done at the municipal level of government, and we know a lot more can be done. It is time for all orders of government to work together with private sector partners to change the public attitude towards persons with disabilities and improve the quality of life for everyone.

The ODA is a bold step in the right direction, and the minister should count on municipalities to do their part in inspiring the changes to achieve full citizenship for persons with disabilities. Having said this, the challenge in any policy development is always how much to lead versus impose, and this matter is no different. AMO offers that the act provides a good balance in general.

Working towards barrier-free communities is good public policy. The province's document, *Independence and Opportunity: Ontario's Framework for Change for Persons with Disabilities*, states, "Perhaps no government has a more direct impact on our daily lives than the municipal level. Municipalities play a significant role in the development of our communities—the streets, parks, public transit and public buildings that we use every day." This statement demonstrates the integral role municipalities have in the success of the ODA.

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When compared to other sectors, the municipal sector in Ontario is a leader in meeting the needs of persons with disabilities and already delivers various programs and services. AMO believes municipalities are committed to ensuring that new barriers will not be created and that existing barriers to people with disabilities will be removed based on local plans and within reasonable time frames. Municipalities welcome the challenge of reinforcing their leadership roles in changing attitudes toward people with disabilities so that they can enjoy full citizenship in the community through better access to employment, training, education, services and mobility. But we need the province to actively help in this attitudinal shift. Its leadership is no less important.

We recognize that persons with disabilities want and deserve independence and opportunity. They can and do contribute to our economy and community life. Municipalities are working toward affecting real change and most already are making a difference. Some municipalities have gone forward with barrier-free design standards for all new and renovated municipal facilities, and others have been working with the disabled community to make sure their views are reflected in local policies. Working towards local policies that create full inclusion and implementing universal design principles which accommodate all types of disabilities at all ages makes sense. The challenge is the ability to finance the changes.

The challenge of removing barriers for the disabled community is one that will require local plans and local resources, particularly in the absence of an accelerated, adequate, dedicated and sustained funding source from the province. It will require ongoing local community and private sector response. Having the direct participation from the disabled community to develop solutions will greatly benefit this process. The proposed annual

accessibility plans and the municipal accessibility advisory committees will be useful tools in working towards barrier-free communities. AMO also believes that these tools and considerations should be based and determined by local financial resources and local needs. AMO knows all too well that a provincial mandatory one-size-fits-all legislative or regulatory approach does not work for all Ontario's municipalities. Rather, a clear framework with attendant tools and other supports, and a degree of creative tension, is a more effective framework.

Municipalities implement numerous pieces of legislation such as the Building Code Act and the Planning Act that affect community form and building design. They oversee the building, renovations and retrofits of public buildings and enforce bylaws designed to improve accessibility and mobility for municipal residents. Municipalities support the strategy of giving accessibility considerations to purchasing, constructing, renovating or leasing new buildings; purchasing goods and services through the procurement process; and evaluating accessibility requirements when approving planning applications and other community features.

Much has been said about the increase in the fine for parking in a disabled parking spot. While this will be a deterrent, AMO would also like to see more focus on the issuance of disabled persons parking permits so that these permits go to the people who truly need them.

AMO offers three examples that demonstrate municipal leadership in creating barrier-free communities.

The first municipal example is Brampton and its universal design in the Playspaces project. First and foremost, the city believes that every person has a right to have barrier-free access to public spaces regardless of ability or physical and mental challenges. To meet its three goals of integration, inclusion and accessibility, the city hired a full-time recreation coordinator of special needs.

The project has produced a policy on universal design for play spaces. Its objective was to enhance universal accessibility for all types of physically or mentally challenged persons within all city playgrounds. City council adapted a list of standards regarding ramping, surfacing, landings, wheelchair-accessible platforms, entrances/exits, and the city was able to get corporate sponsorship to pay for a portion of the replacement and development cost. Three of the local major special-needs groups utilizing the recreational programs were consulted for input. This allowed the city to address important barrier issues, such as the inclusion of sensory elements—touch, smell, sight, sound; a variety of accessibility levels and accessible play spaces; access ramps; panel games; resilient surfacing; and other comfort amenities, including shade structures, accessible tables and washrooms.

The second municipal example is the city of London. Among other major accomplishments, the city adopted an accessibility policy back in October 2000. That policy committed the city to work with the community towards a barrier-free community by making reasonable efforts to have all existing owned, leased or operated facilities,

lands and services be accessible to persons with disabilities, ensuring, where feasible, that all newly constructed city facilities, lands and services be made accessible.

The city is continuing to provide amenities to persons with disabilities—such as curb cuts to sidewalks, Braille in elevators, interpretive services for the deaf, a golf course for persons with disabilities—and are working towards allocation of appropriate resources to accomplish these. The city is developing an accessibility design standards document which will apply to all newly constructed and/or renovated facilities and is seeking community input concerning these proposed standards.

The third example is the city of Windsor. In 1981, the United Nations Year of the Disabled, the city of Windsor created the Windsor Advisory Committee on Disability Issues. The committee includes city councillors, members of the community and representatives from the disabled community. The mandate of the committee is to advise the municipal corporation, conduct needs assessments, increase community awareness, coordinate services and advocate policies. The committee is looking at barrier-free design, infrastructure, employment, transportation, and health services issues. Windsor's advisory committee was also instrumental in the construction of the Windsor Casino and making many outdoor and public walkways accessible.

As illustrated by these three municipal examples, municipalities have been leaders in creating barrier-free communities and will continue to be leaders.

The Ontarians with Disabilities Act acknowledges the importance of local flexibility, the need for autonomy and locally driven solutions. AMO hopes that the regulations to be developed to implement the act will do the same. Municipalities are very diverse. Their geographical location, demographic and economic base are different. They generally have different issues to address, with different solutions and resources. One thing they do have in common is a rather rigid revenue envelope—the property tax base. Consequently, one-size-fits-all solutions or regulations do not work well within the existing revenue sources for municipalities. Municipal property tax dollars are vulnerable when it comes to economic swings because the property tax base must fund social services and community health programs. Increasing property taxes is not the solution.

The act requires that regulations be developed, that other legislation be amended and new powers be given to municipalities. The details relating to annual accessibility plans, accessibility advisory committees, and the accessibility considerations involving purchasing, renovating, leasing buildings and planning approval of subdivisions need to be defined in a way that allows local flexibility. A number of acts will be amended, which include the Social Housing Reform Act, the Municipal Act, the Planning Act, the Election Act, the Highway Traffic Act and the Ontario Human Rights Code. The province needs to involve us in discussions on any of these proposed amendments and changes in municipal powers before they are enacted.

AMO requests that the minister continue to consult with AMO, as he has done in the past, to develop the best possible regulatory framework for the provincial government, the municipal governments and the entire community at large. AMO looks forward to working with the ministry to identify any new tools for use by the municipal sector so that municipalities can make the most appropriate decisions in their communities while meeting the goals of the ODA.

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AMO supports the creation of the Accessibility Advisory Council of Ontario and the Accessibility Directorate of Ontario and looks forward to participating. These bodies will assist in facilitating the required ongoing consultation to ensure the success of the ODA. These bodies will also provide a venue to share and disseminate best practices as they relate to barrier-free communities. In fact, the Centre for Municipal Best Practices that AMO and the Ministry of Municipal Affairs and Housing are developing may be another vehicle for the dissemination of community access success stories.

AMO's barrier-free working group will remain in place to support our participation on the two newly created bodies and will be available to provide advice and input on a variety of activities to support the legislation. AMO also supports the coordination and collaboration between municipalities and all the sectors, and agrees that this co-ordination and collaboration will assist in driving the continual improvement of standards for persons with disabilities.

Creating a level playing field for this public policy is key for its success. The Ontario Human Rights Code and the Ontario Human Rights Commission provide a solid basis for the rights of persons with disabilities in this province, and it has commented on the role of all sectors. Municipalities support the work of the Human Rights Commission and look forward to their continued work in the future.

The ODA clearly and specifically defines the roles of the provincial government, municipal government and the broader public sector. However, the ODA falls somewhat short in clearly defining the private sector requirements. AMO agrees that governments need to be leaders, but to meet the full objective of creating barrier-free communities requires greater involvement of the private sector. The private sector should have similar requirements to the public sector in the ODA and be triggered to move in doing its part in creating and sustaining barrier-free communities.

As previously discussed, persons with disabilities across Canada have spending power of \$20 billion to \$25 billion annually and offer a significant pool of untapped human capital. It would prove to be in the private sector's best interests to be subject to the same requirements as municipalities. Ensuring that the disabled community has a voice in business and corporate Ontario's policies and is involved in developing plans designed to eliminate existing and future barriers not only improves the quality

of life for everyone, but also improves business's bottom line because it translates into more clients and a larger human resource pool. The private sector must also have the goals and vision of business environments that operate from the principles of full inclusion and universal design. For persons with disabilities to be best served, the playing field needs to be level, and this includes the private sector.

Removing and preventing accessibility barriers will take time and money. The vision of barrier-free communities is something no one can argue. However, there are many competing demands for the limited municipal property tax dollar.

The ODA calls on municipal governments to remove and prevent barriers. These actions come with a high price tag. For example, making Toronto's 60 subway stations fully accessible for the disabled would cost millions of dollars. This does not include the millions of dollars that municipalities across Ontario are already spending to make existing facilities and infrastructure accessible, offering accessible transportation and educating the community on disabled issues.

The act will amend a number of other acts and develop a number of new regulations, which could trigger costs, direct and indirect. Creating barrier-free communities and giving persons with disabilities full citizenship, while protecting the municipal taxpayer, will prove to be very challenging without the financial help of both the provincial and federal governments.

To accelerate municipal work to reach the province's disability objectives sooner without jeopardizing existing mandatory and community services will require a dedicated, stable and predictable funding source from the province or a new source of revenue for municipal governments. In the absence of a dedicated, long-term funding program, the legislative framework as proposed provides a balanced approach. In its funding deliberations, the province should also consider funding for local education and support mechanisms associated with municipalities related to diversity and persons with disabilities.

Working towards barrier-free communities and full citizenship for persons with disabilities is good public policy. Successfully meeting this goal will take a firm commitment, flexibility that facilitates locally driven solutions, ongoing consultation, a level playing field, appropriate funding and policies that work toward full inclusion and universal design. The ODA is the framework for change that is focused in the right direction, a direction that will lead us to full citizenship for persons with disabilities.

The Chair: Thank you very much. We have less than one minute per caucus. I'll start with Mr Martin.

Mr Martin: Thank you. You raised some really important issues. Certainly one of them, and central to this whole thing, is the issue of resources: where do you get the finances to do the kinds of things that are required?

You also mentioned flexibility. I have some concerns that each community should be allowed, given their resource base etc, to develop their own plans. Disabled people can't be restricted to their own community. If there's something available to them in Toronto and they want to visit, or they want to go to a place like Sault Ste Marie for work, they need to know that the province is committed to a standard of accessibility that's available to able-bodied people across the whole province. Any suggestions as to how we might reach that kind of target?

Ms Pat Vanini: I guess the first example, now that the province has taken back GO Transit, is that here is an opportunity for those design elements to be incorporated in a provincial activity in terms of the cross-boundary movement of people. In terms of the issues of coordination, there is always a challenge where you have boundaries and jurisdictions and defined roles and responsibilities. But with this legislation I think there will be perhaps a greater opportunity for some of that inter-connection as we start to raise the profile on these issues and start to do that work.

Having a one-size-fits-all approach across all services may not necessarily get us where we want either, but maybe there is a need to take a look at particular types of services where we might come up with a regulatory framework that could work. I would want to have a much greater discussion around what that is, as opposed to just sort of leaping off and giving a general answer that says yes or no. Within certain service areas there may be some base elements, and I think part of that comes out of the building code, for example. But in terms of the delivery of some of those municipal services, there needs to be a look at what's happening locally.

The Chair: Thank you very much. Mr Spina.

Mr Spina: Thank you, ladies, for the presentation. Sandra, I didn't realize Brampton was the leader, and I was very proud when you indicated that. I knew we were good, but not that good, and that's great.

Two elements: one was the funding resources you indicated. Just to let you know, in the May budget, the finance minister had \$67 million allocated over five years for new facilities for adults with developmental disabilities and, in addition to that, \$55 million this year, growing to nearly \$200 million by 2006-07, to enhance services for people with developmental disabilities. That money has been planned on a longer-term basis. Of course, how it's put out is the key element, and I think it's important with and through the municipalities.

The question I ask really has to do with an earlier presentation which we had a couple of times and it's this: The disabled people who want accessibility have said to us in a very simple way, "I need to be able to get to my doctor's office or to a restaurant more than I need to get in and out of city hall." Should the private sector lead the way, or should government lead by example?

Ms Hames: As I said in the presentation, Joe, typically governments do lead by example, but I think the private sector needs and should be—we should be on a level playing field with the private sector. There certainly

should be some minimum standards in place for the private sector to allow that disabled person to get to his doctor or get to somewhere else rather than city hall. I agree with you.

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The Chair: The official opposition. Mr Parsons.

Mr Parsons: The issue, to me, is not that people with disabilities want equity; people with disabilities are entitled to equity. I'm intrigued by the approach you're going to work toward. If I could roll the clock back to 1920, I would suggest that if there was a bill introduced saying, "We're going to give women the vote, but not if they live in municipalities under 10,000 and not if your municipality can't afford to do a census, but we're going to work toward that," you and I would have found that an offensive approach. We're not dealing with individuals with disabilities who have to come begging for us to gradually find the financial resources. They are entitled to go to a doctor; they're entitled to go to a store. So I guess I'm intrigued and even disappointed at the concept that we'll work toward providing equity. Equity, to me, should be a fundamental right, with the object being to do it now or as soon as possible. There are no timelines, there's no funding, there's nothing that will provide equity in this bill. Can you comment?

Ms Hames: I agree with you. It's a right. You talk about going back to the 1920s. Some of the buildings in municipalities go back to the 1920s. The reality is that to retrofit them does cost a lot of money. If that money is forthcoming from all levels of government, yes, it can be achieved sooner. But I couldn't say to you that it could be achieved in five years, because I don't think it's doable in five years unless an awful lot of money comes from the federal, provincial and municipal levels of government.

The Chair: On behalf of the committee, thank you very much for your presentation this morning.

Mr Martin: I just have a question. There was a page put on our table this morning with three holes in it, and it says page 20 of 20. I was just wondering where that came from and what we're supposed to do with it.

The Chair: Apparently it's a missing page in the briefing binder that you have.

Mr Martin: Under what section?

The Chair: I don't have the page in front of me, so I'm sorry.

CAROLE RIBACK

The Chair: Our next presentation this morning is from Carole Riback. I would ask the presenter to come forward. Please state your name for the record. You have 15 minutes for your presentation.

Ms Carole Riback: Good morning. I notice now many typos, for which I apologize to you. You always find them when it's too late.

It is with a sense of honour and privilege that I come to address this standing committee of the Ontario Legislature. I come before you today wearing many different

hats. I am, first and foremost, a resident and citizen of Ontario; I have lived with a significant disability for 21 of my 46 years; I am well-educated; I have been both gainfully employed long-term and also unemployed, as a woman with a disability; I have been a disabled graduate and post-graduate student; and I am a consumer of goods, services and facilities of this province 365 days a year.

Throughout the 14 years I have lived in Toronto, I have sat on numerous boards, committees, task forces and coalitions that have addressed and continue to address a variety of disability-related issues. I have worked professionally in the disabled community as a psychotherapist, and also creating community programs, services and agencies that have established, as their mandate, barrier-free access and advocacy for and with people with disabilities. Most notably, I served as a board member and volunteer over a 10-year period, and later as program director, of North York Community House. Also, I was the founding manager of the barrier-free health program at the Anne Johnston Health Station, a local community health centre that this government itself has cited as a best-practice model for barrier-free primary health care in its very own 1998 publication.

Unfortunately, that very successful model has not been replicated in this province, though heralded by both the government and consumers alike. Reproducing the model would enable persons with disabilities of all kinds to access barrier-free health care throughout the province instead of the barrier-fraught health care services people with disabilities continue to encounter everywhere in Ontario in both urban and rural areas.

I chaired the TTC advisory committee on accessible transportation for six consecutive years, and I served for three years on Toronto's access and equity task force, which, at its conclusion, brought forward and had passed by council over 90 recommendations governing access and equity issues for residents and employees of the amalgamated municipality of Toronto. I continue to be invited to lecture on multiple issues related to disabilities to diverse audiences throughout the province and specifically throughout southern Ontario.

I often comment that I believe my life has had a Black Like Me/Howard Griffin-like quality, if you're familiar with that reference. Howard Griffin chose to pursue an understanding of the discrimination black Americans experienced in the early 1960s by deliberately dying his skin colour and travelling throughout the southern United States as a white man choosing to become a black man. His entire psyche, understanding of his country and his very future changed dramatically and forever because of his voluntary experiment. Well, my entire life, psyche, understanding and future changed dramatically and forever when I involuntarily became disabled because of a spinal cord tumour at the age of 25.

Prior to the onset of my disability, I enjoyed the many privileges and benefits of an upper-middle-class upbringing—extensive travel, exposure to the arts, an Ivy League undergrad education at Cornell, a responsible job at a young age in international politics, an engaging,

exciting and spontaneous social life and on and on. I was well-respected and was considered to be a thoughtful, mature, intelligent, well-rounded, promising young woman, if I can say that. When I suddenly needed a walker and soon thereafter a wheelchair for mobility, I was suddenly and abruptly treated as a dependent, unintelligent, stupid and, for some reason which to this day I can't fathom, deaf individual. People either stared at me or, alternatively, actually stopped talking to me, even about the most benign and superfluous of topics. Their embarrassment became paramount in my life. Suddenly I was apparently reduced to childlike treatment by others. I was rarely addressed directly in conversation. Talk was always about me, around me, in the third person, totally ignoring the fact that I was actually present, whereas just months before I was actually doing research for an international lawyer working for the United Nations and was responsible for organizing an entire international conference in Geneva, Switzerland, for the international Red Cross. My life had indeed changed dramatically and forever. That is the reality of living with a disability.

As I sat here yesterday listening to the proceedings, I heard committee members repeatedly asking presenters about the differences and varying importance and significance of physical versus attitudinal barriers faced by persons with disabilities. I should use my opportunity here to inform you that there is indeed little difference, that sitting outside any retail shop, or what's funny to be calling a "convenience" store, having to knock on a glass window for attention because a single step prevents a wheelchair user from accessing the store is just as demeaning, disheartening and demoralizing as having, for example, a hospital administrator look right past you and address the person accompanying you instead of you yourself.

These very different barriers, one physical and the other an attitudinal example, render equally the sense that the world is just not open or available to people with disabilities. This is the world in which some 1.6 million Ontarians live day in and day out. This is the pain and hurt with which Ontarians with disabilities and their friends, families and supporters live on a regular, daily basis. It is this pain, this hurt, this demoralization that Ontarians with disabilities have waited patiently and expectantly to have alleviated by legislative initiatives put forward by this provincial government. It is this pain, this hurt, this demoralization that Bill 125, long, long awaited, does nothing to address or alleviate.

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After three days of public hearings and a myriad of written submissions you've already received and that have been delivered to this committee, I thought the committee members may have already heard enough times the same comments from various organizations about what is missing and lacking in Bill 125 in its present form. But the truth is, after yesterday I would feel remiss if I didn't at least mention them.

You have already heard that the bill doesn't do anything more than put in place the opportunity for public sector entities to produce plans for barrier removal and elimination in their organizations. The bill doesn't address the broader public or private sectors but instead allows for exemptions to the planning initiative for many agencies, and the bill goes no further than to simply recommend planning initiatives. The proposed legislation in its present form doesn't address procedures and protocols to actually implement any action to remove existing barriers, nor does it address processes or procedures for necessarily eliminating future barriers of any kind throughout the province.

The bill does little more than mention some physical barriers pertaining to mobility disabilities but addresses no other grouping of barriers or disabilities; for example, policy barriers preventing those with mental disabilities from accessing employment or communication barriers for those who are hard of hearing, deaf or deafened from accessing normalized and financially feasible post-secondary education with the requisite supports in place. Bill 125 provides no timelines, assessment benchmarks, financial supports or resources for initiating change in the world of barriers within which Ontarians with disabilities must live.

Bill 125 doesn't impose a single mandatory action, nor does it provide compliance incentives or, conversely, punishment or penalty for non-compliance, except of course for the one we've heard so much about, the misuse of designated parking and disabled parking permit abuse, which frankly is a joke, because the real issue related to transportation in this province is the lack of affordable, accessible public transportation for most people with disabilities. Further, there are no proportional penalties or incentives. If a single parking spot is worth \$5,000 in this government's eyes, then what is a step or inappropriately formatted software worth? Any and all of these elements—that is, assessment benchmarks, timelines, the creation of standards, resources, incentives, penalties for non-compliance, implementation and enforcement mechanisms, etc; I could go on and on—are customarily incorporated into legislation that is typically developed and proposed by provincial governments everywhere.

The bill does, however, establish a provincial directorate, an advisory council and municipal committees, all entities that critically lack definition in their composition, structure and membership selection. As described in the proposed bill, they all, frankly, seem to serve the minister and government of the day rather than the population they are intended to serve. As currently described in the bill, they offer no guarantee of expertise to the community at large, in my understanding the very purpose for which they were each intended. They do not necessarily bring together the various community and multi-sector stakeholders, another reason for which I understood they were presumably established in the proposed legislation. I can tell you that just throwing people in a room won't necessarily produce anything worthwhile without the

proper mandates, mechanisms, protocols, resources, accountability structures etc in place. Every existing and every previous advisory committee member in this province will vouch for this truism.

The briefs put forward by the ODA Committee—a coalition of which I am also a member and whose brief I assisted in developing, which you'll hear this afternoon—the Canadian Mental Health Association and the city of Toronto advisory committee on disability issues all address the numerous legislative amendments I would personally propose, support and endorse wholeheartedly for serious consideration by this committee should Bill 125 be changed so that it offers anything meaningful or worthwhile at all to Ontarians with disabilities.

I'd rather spend my time talking a little bit differently. I listened attentively to the legislative debates in the assembly after the introduction of Bill 125. I heard from Minister Jackson and his various party colleagues how leading-edge, revolutionary and innovative Bill 125 is considered to be. I have heard all about the promise of consultation on the development of the bill's forthcoming regs and how all-encompassing these will be. After the past six and a half years of examples of consultation, I question that. Also, our research clearly indicates otherwise. No new concepts are created in the legislation, but that isn't even the important part. In fact, what Ontarians with disabilities were hoping to see in this legislation was the amalgam of the most successful measures already undertaken in other jurisdictions, those that are tried and true, adopted for Ontario. They exist everywhere in the world. The fact is that we don't need to reinvent the wheel in order to remove and eliminate barriers of all kinds. Furthermore, I have been told that this bill constitutes a "good first step." Shouldn't legislation intended to produce barrier removal at the very least eliminate a single step if it is indeed a "good first step"? It doesn't and it isn't.

As I listened to the legislators on the leg TV network, my new favourite channel, insist how wonderful Bill 125 is, I thought about my day on that particular day, which happened to be November 19, 2001, that I had just lived through. I would like to tell you a bit about that. First, I had to find a car dealership with accessible facilities so that I could bring my vehicle for its first required Drive Clean test. The best I could do was identify a single dealership in Scarborough that could accommodate me, even though I live in downtown Toronto. I drove there and did what I had to do, and then I had to go back downtown to the MTO to renew my driver's licence, where the customer counters are still too high for wheelchair users, and where I found out I had to pay, very surprisingly, a \$228 fee above the regular cost. The \$228 fee is a result of inappropriately issued parking tags on my properly permitted vehicle. I have to go to court each time the police mistakenly ticket my vehicle. These particular tickets, of which there were three outstanding on this day, that were recorded at the ministry have yet to come up on the court docket. I have eight currently outstanding. Without paying the fines, I wasn't allowed to

renew my licence. Thank goodness Bill 125 hadn't yet passed the \$5,000 parking tag fine or I'd never be able to even drive my vehicle to court to get the parking tag cancellations taken care of.

I'll go back to the day of November 19. I then had to proceed to an eye doctor appointment. Here I encountered a host of different and interesting obstacles. The hospital, where the one eye doctor I had found some time back willing to take on wheelchair users as patients, is currently undergoing construction. My eye doctor's office is located in a right now totally inaccessible part of the hospital that is undergoing construction and renovation. Of course no one told me when the appointment was booked. Apparently no one thought that someone using a wheelchair may need to enter the hospital other than by ambulance through the emergency department, so no accessible construction plan was in evidence. The ER was indeed the only way I could enter the hospital, let alone access the appropriate elevator to get to my doctor's office. I was repeatedly directed to stairwells, in my wheelchair, by well-intentioned hospital staff. I needed to get to the sixth floor on this particular day. Finally, one kind soul figured out a way to bypass the construction sites using a series of elevators and corridors, not a direct route, and a half-hour later I did indeed successfully arrive at my doctor's office, rather exhausted.

Later, after that appointment, I had to pick up some new clothing in a department store where on this particular day the only elevator in the building was out of order and my merchandise was being held for me on the third floor. Truth be told, I gave up on this one.

By now I desperately needed a wheelchair-accessible washroom. Instead of going grocery shopping, which I had planned to do, I went home tired, defeated, demoralized. I heated up a prepared dinner in my microwave oven instead of cooking something fresh and nutritious in my completely inaccessible condo oven and I hung over a too-high counter to wash my dishes and clean up in my kitchen, while I watched my legislators on TV saying how wonderful Bill 125 is and how it will soon enable my life to be barrier-free.

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As I mentally reviewed each of the individual physical—and only physical and only mobility-related—barriers that I had personally encountered on this particular day in November 2001, I realize, after carefully studying the bill, that Bill 125 will not eliminate a single one of these barriers—not this year, not next year, not in 18 months, not in three years, in fact not in five years—not one barrier. And these are the easiest, most obvious and presumably most visible barriers that we talk about.

No, Bill 125 is not a good enough first step. I continue to feel defeated, demoralized, demeaned, isolated and frustrated, and my only solace, but also, ironically, the greater tragedy and travesty of it all, is that some 1.6 million Ontarians share the very same and so many more similar experiences with me, and there is no end in sight. Bill 125 does not put us in the "driver's seat," as has been

stated by the minister responsible. It simply keeps us limited, restricted, isolated and unable to participate in Ontario as we remain in our wheelchair and other disability seats.

The Chair: Unfortunately, there is no time for questions as you've used all your time. But on behalf of the committee, thank you very much for your presentation.

Ms Riback: A great pleasure. Thanks for hearing me.

Mr Parsons: On a point of order, Mr Chair: I would like to introduce Danielle Campo. She won three golds and one silver in swimming at the Sydney Paralympics. She has raised over \$1 million for muscular research and at age 16 is the youngest recipient of the Order of Ontario. I would like to acknowledge her presence.

Applause.

The Chair: I don't know if that's a point of order but it's certainly worth acknowledging and congratulating. Good luck in the future.

ONTARIO ASSOCIATION FOR COMMUNITY LIVING

The Chair: Our last presenter this morning is the Ontario Association for Community Living. I would ask the presenters to come forward please and state your names for the record. On behalf of the committee, welcome. You have 20 minutes for your presentation.

Mr Keith Powell: I'm Keith Powell, the executive director of the Ontario Association for Community Living. Accompanying me is my colleague Orville Endicott, in the capacity of adviser and legal counsel for the Ontario Association for Community Living.

The Acting Chair (Mr Carl DeFaria): Is Mr Endicott a former law school colleague of mine?

Mr Orville Endicott: Yes. I haven't seen you for years.

The Acting Chair: Welcome to the committee. Go ahead.

Mr Powell: We thank you for the opportunity to make this appearance and to make our presentation. We regret to advise you at the beginning of our presentation of the sudden and unfortunate passing of Rod Walsh in the past week. He was the legal counsel for the Ontario Association for Community Living. He served in that capacity for 15 years and will be very missed. His funeral was held on the weekend. His immense contribution to the field of the needs and issues of people with intellectual disabilities and people with disabilities broadly was recognized by the huge number of people who came to pay tribute to him. Certainly our paying tribute to our valued colleague exacerbated the dilemma we had in such a short period of notice to prepare for our presentation today.

In the presentations being made to the committee you are hearing concerns that this legislation, the bill as tabled, is not a good enough start. We could identify in our presentation a list of grievances, a list of steps that must be taken for this to be a significant and useful piece of legislation, but we have chosen to begin our presen-

tation by focusing on the positive. We wish to commend the ministry and the government for creating a structure and a process which can at least be built on. We commit to working with the ministry and the government to make this legislation meaningful for all people with disabilities and in particular for people with intellectual disabilities. Clearly it still needs substance and it still needs teeth.

People with intellectual disabilities are confronted with a broad range of barriers, perhaps a broader range than many other people who suffer with disabilities. They need an act which encourages not just removal of barriers related to physical access or the need for technological supports or accommodations but one which in the short and long term serves to produce attitudinal change and which provides redress for people with intellectual disabilities when they have been prevented from having rightful access and participation.

The name, "Community Living," reflects the learning of families, individuals who identify themselves as self-advocates and their friends and communities, a learning that is based on the experience of attempted participation and contribution to community. "Community Living" is an indication of the importance for people with intellectual disabilities of physical and valued participation and presence in the community. If barriers are there that prevent that participation, then the continued learning and the continued valuing of people, continued attitudinal changes which will welcome them and support them to participate in the community, will not occur.

I began by commenting that we have had a dilemma with an unreasonable time frame for the development of our presentation. People with intellectual disabilities are often misunderstood in terms of their ability to understand issues and to bring forward comments and constructive recommendations to problem-solving processes. It is critical that they be given the support and the time needed to come to having an informed awareness of issues and to preparing their own presentations and positions. The fact that this act is intended to remove barriers but nonetheless has created significant barriers for the participation of people with intellectual disabilities in even contributing to this bill is something that should not be missed. Unreasonable time frames will serve as barriers to the involvement and contribution of people with intellectual disabilities.

We would like to bring to your attention with regard to Bill 181, which provides children the right to an inclusive education here in Ontario, that we continue to hear stories of children who are being denied access to inclusive education and inclusive classes. We are very concerned that this legislation does not provide a mechanism to ensure that the legal right children have to inclusive education is no further enhanced and is no more enforceable than it was before this bill was tabled and than it will be after the act is passed.

Additionally, in relation to inclusive education, the ISAs, intensive support amounts, that are the formula used for determining funding and hence supports for children with intellectual disabilities in our school systems

are rife with demeaning terminology, and these terms and this series of descriptions and means of evaluating funding needs for children in inclusive classrooms within our educational system do in fact create further attitudinal barriers for children. Certainly, demeaning terms do not encourage a vision of people with intellectual disabilities as equal and able to make a valued contribution.

We would like to talk about the advisory councils and the accessibility directorate. Certainly the opportunity to participate in the advisory councils at the municipal and the provincial levels is an opportunity. However, it is absolutely essential that these councils be accessible for people with disabilities. It is essential that they be accessible not just in terms of physical access but that accommodations and supports be provided so that people with intellectual disabilities can contribute and participate in a meaningful way.

It is our recommendation that the municipal councils must have cross-disability representation and they must include people with intellectual disabilities. Further, we would recommend that a majority of the members of these councils comprise people with disabilities. As I've indicated, it is essential that accommodations be applied to ensure that informed participation provides benefit and outcome and recommendations for systemic change in the longer term. This, for people with intellectual disabilities, would require the provision of costs for their participation and time and support or the provision of a supporter or an adviser at and before such meetings.

1200

The size of the committee is not mentioned in the bill. We would support the identification in the bill that the committees include one person from each of the classes identified in section 2(1) definitions. We believe it is important that there be a person from each of the classes (a) through (d) as a minimum. Further, we would recommend that there be at least two people from what is referred to as group (a) of these definitions since this includes a very broad range of disabilities.

The terms of reference for the municipal committees we believe should be determined by the municipal committees themselves and should not be solely restricted to the provisions of the act, which means to functions that have been determined by political creators. We believe that municipalities, in response and in support of these committees, have an obligation to invite all disability organizations in the municipalities to nominate representatives to participate in the committee and to put forward names.

We believe that municipalities in support of these committees have an obligation to report to the citizens of those committees the work and the recommendations and the findings of those committees. We believe that municipalities should report those recommendations publicly, through local media and through electronic media, and that accessibility plans, as identified and developed by those working committees, should be made public and opportunity should be provided for public input and debate.

I would like to ask my colleague Orville Endicott to proceed with the remainder of our presentation.

Mr Endicott: Thank you, Keith, and members. I'm going to speak briefly about OACL's perception and approval of the recommendations that have been or will be placed before you by the ODA Committee. I'm not sure whether you've seen them yet. They are very extensive, and I'm certainly not going to try to comment on any but a few of them. OACL is a member of the ODA Committee and has been for some years, and we certainly have had input over the process which has brought us to where we are today.

I feel particularly proud of the ODA Committee for being as constructive as it is about this bill. They have recognized the strength and the potential for strength in it rather than trashing it and trying to write a whole new bill. They have persisted with the requests they have made all along for the bill to be strong and effective but they have, as I say, made use of the bill as tabled in the Legislature. I commend them for that. It was a very constructive approach.

Keith has spoken about the importance of the councils or committees, whatever they end up being called, both at the provincial level and municipally. One of the things the ODA Committee does recommend—by the way, in our brief we make reference to the recommendations of the ODA Committee. With my luck, they will have revised their brief before they present this afternoon and some of those numbers may not jibe with what you see, but you'll be able to find the ones we are particularly interested in in any case. But one of the things we certainly believe the ODA Committee is right about is that these committees ought to be more than advisory. They ought to have a role that gives some control, some authority to the positions that they take.

As representatives of an organization that is committed to the rights and well-being of persons with mental disability, we are concerned that the weight of the bill is disproportionately on the issues of physical access to buildings. While we certainly don't argue with that or think it should be diminished in any way, we believe it is your responsibility as a legislative committee to look at this bill carefully to see if that balance can be redressed and other types of disabilities and barriers have the prominence they deserve.

One of the things that concerns us constantly is that the general public sees the issue of disability in terms of "them" as opposed to "us" in so many ways. There is a risk that bringing in legislation of this kind can in some ways reinforce that perception rather than remove it, because it is in itself a barrier and a source of other barriers.

The definition of "barrier" in the bill as tabled makes specific reference to something that would not be a barrier for other people. I don't think it's necessary and the ODA Committee has made a recommendation that should not be part of the bill.

We are very concerned, as I'm sure other presenters have been, including the person who spoke before us,

about the issue of which organizations in the province will be bound by the requirements of the ODA. As a voluntary, private sector organization, OACL and its affiliated local associations would feel cheated if we were not told, "you have to do this too," not just government and government-funded organizations.

I believe we ought to allow some time for questions.

The Acting Chair: Thank you, gentlemen. We have approximately two minutes per caucus.

Mr O'Toole: Thank you very much for your presentation this morning. I certainly acknowledge the important work the association does, I'm certain, in most ridings. I know they had important input with Minister Flaherty during the last budget and I'm sure you're quite aware of that. It certainly paid some dividend for people in community living situations in my own riding. I appreciate your advocacy. I believe the government listens, and there's never an end: the demands perhaps are greater than the supply, as you understand. But I think an acknowledgement is very important.

There are two points I want to make, if time permits. One is to recognize and perhaps ask for your response on the definition of "barrier" in subsection 2(1) and whether it's an offensive expression the way it's framed. As I've been educated, even attitudinally in this process, I find that the word "barrier" is like a code word for the world. It's not the step, it's the world—it's attitude, it's functionality, it's just not understanding, period. I know it tries to address both the intellectual as well as the physical and attitudinal barriers, but perhaps you could give me a response.

I have some experience, having served as chair of a special-ed advisory committee, and I've seen the great relationship between the advocacy role as well as the ongoing role of providers and consumers being engaged in that. Since 1980, when I was a trustee, to today, and having members of my family involved both in providing the service as well as receiving the service, I think the most important change was the inclusiveness model as opposed to the segregated model. It's very important for all the reasons we've said, attitudinal probably being the biggest barrier of all.

I think the ISA funding model is a bit minutiae in the red tape part of it. I think the minister responded in the House yesterday: once somebody has been defined as needing certain supports or services, they shouldn't have to go through the rigorous ritual all the time of re-legitimizing that process. That could be simplified. I've heard you about the appointments to the disability advisory council. I'm sure that will be another challenge for the minister, to recognize the diversity of voices and presence that need to be there.

I would be interested in your response to the "barrier" definition and perhaps, if you wish, to how the Ministry of Education, because the demands in ISA funding are just unbelievable, not that they're not needed but they are quite—we will have to respond to it at some time. It's not just in classrooms. It's the whole inclusiveness model.

It's the activities, it's the field trips. If you have any response that would be helpful, I'd appreciate it.

1210

Mr Powell: I would ask Orville perhaps to comment on the definition issue after I respond. I'll try to be very brief, given the time.

Experience and best practice models of inclusive education show that when an environment is created in the classroom where a child with an intellectual disability is treated as an equal, and is supported not just by a special teacher's aide in the classroom but by the entire class, the educational outcomes for that individual are higher than they would be in other circumstances, and most importantly, the educational outcomes for the remainder of the class are just as high as they would be if the child was not present, or are higher.

What this tells us is that there is not a price to be paid in terms of educational outcomes for inclusive classrooms. Further, it creates an awareness of citizenship and inclusion, which you were referring to, that our generation unfortunately has been deprived of, because people with intellectual disabilities were not present in our communities and were not given the opportunity to make valued social contributions. That's why this legislation has huge opportunity within it to create those opportunities and remove those barriers. It will transform the collective ability of our society to include people without the costs of paying direct specialized support workers to do as much of that in a remedial way.

In terms of the definition, Orville, would you like to comment?

Mr Endicott: On the issue of "barrier" definition, I made the point earlier that I think it's extremely important that the comparison factor be removed from that definition. The ODA Committee, if you haven't already seen it, will be offering an alternative definition. I'm not going to read it all, but it begins this way, "'Barrier' means anything that prevents a person from fully participating in all aspects of society because of his or her disability." Then it goes on to identify particular things that may do that, including not only physical or architectural barriers, but information, communication, attitudinal, policy and practice. Policy and practice is included in the bill and that's important. It would have been a terrible omission if that had not been in there.

Mr Smitherman: I want to say that the Toronto Association for Community Living is one of those organizations that provides me with a very strong sense of excitement and honour when I go to their events and have an opportunity to participate with them.

I very much found your presentation helpful. I want to focus in on a contrast, which is that the thing I liked the most about it was when you spoke about the rushed nature of it, the fact that that has forced you, in terms of bringing forward your presentation—I think you're sensitive to this and that's why I want to focus on it—to the fact there's a real danger that we're paternalistic in the work that you do and, frankly, in the work that I do,

speaking on behalf of communities whose voice is too often muted.

I found it very interesting that some of the groups that have presented to these hearings on behalf of, as the voice for, disabled people, do so and yet when I hear disabled people speaking, they are almost always much harder on this bill. I'd like you maybe to give a glimpse of your organization's consideration of this bill from that standpoint. Is this more of a trend toward able-bodied people who don't have any disability whatsoever speaking on behalf of those who do have disabilities but who are nevertheless, as we found out, especially today, more than able to speak well for themselves?

I realize it's a lengthy preface, but how does the bill get at that, in your opinion?

Mr Powell: I think with the recommendations we made about the, I'll perhaps use the word "mandatory," participation of people with the type of disabilities that would often mean they cannot easily, or not without accommodation and support, speak for themselves, the mandatory participation and voice they would have on councils and committees is one of the ways to address that.

If our society is not accustomed to accommodating and welcoming the voice of people whose voices are muted, that won't change until we require that it change. That's one of the reasons we're being so firm on that particular issue. When we experience the contribution of people with intellectual disabilities, our attitudes change because we find it is a valuable one.

Mr Endicott: May I add to that? I think the member's question is a very important one. I think both Keith and I experience some embarrassment that we are here speaking for, rather than having at least one person with us who could speak on behalf of the community of which he or she would be a part. Ordinarily we do that. Circumstances simply made it impossible for us to do that because we didn't know we were going to be here until late on Monday afternoon. The bill is complex. It's taken us all the time we could devote to it to come to the understanding of it that we have and to make the recommendations about it that we have made.

Mr Martin: Following on that, I appreciate that the Ontario Association for Community Living makes an effort to include the people they serve. I know that from my own community of Sault Ste Marie you have Dave Ready down here—at least he used to come down; I'm not sure if he's still on the board or not, but he was. He would phone me on a regular basis at home to fill me in on what was going on. He was a very articulate, knowledgeable and concerned individual on behalf of his friends.

Mr Endicott: David Kunkel was another one from your riding who participated.

Mr Martin: Yes, that's right. I want to follow up on the theme of Mr Smitherman. You've come saying the bill is a good first step. The presenter before you, who is living with a disability, suggests that Bill 125 is not a good enough first step—this is Carole Riback—and she

says she continues to feel defeated, demoralized, demeaned, isolated and frustrated, and that Bill 125 does not put her or any of her colleagues in the driver's seat. How do you square that circle or circle that square or whatever it is?

Mr Endicott: She's absolutely right. If we said it's a good first step, the key qualifier that you said she used is that it's not a good enough first step. But we've been convinced, in my reading at least of the ODA Committee's recommendations, that they were wise in saying, "Let's use this first step to make progress." As I said earlier in my remarks, they have built on the bill we've got rather than saying, "Throw it out," which, as you can remember, two or three years ago had to be said about what was then called Bill 83.

Mr Martin: There is a question I would have asked her, and I'll ask you. I don't presume for a second that you'll be able to speak on her behalf, but having listened to her—and I know you did; you were here when she spoke—I would have asked her should we in fact throw this bill out because it is no good, from her perspective, and start over. What do you think she would have said?

Mr Endicott: I think she would have said yes, throw it out unless you can make the improvements it needs.

Mr Martin: A very political answer.

The Acting Chair: Thank you, gentlemen. This completes the hearings this morning and the committee will recess until 4 o'clock this afternoon.

The committee recessed from 1219 to 1604.

ONTARIANS WITH DISABILITIES ACT COMMITTEE

The Chair: Our first presentation this afternoon is from the Ontarians with Disabilities Act Committee. I would ask the presenter to please come forward and state your name for the record. On behalf of the committee, welcome. You have 20 minutes for your presentation this afternoon.

Mr David Lepofsky: My name is David Lepofsky. I am chair of the Ontarians with Disabilities Act Committee. With me to my left is Carole Riback, from whom you heard this morning, and further to my left—and that's not a political comment—is Kathryn Bremner, whom you'll be hearing from this afternoon. They are both members of the ODA Committee, active supporters of this movement and role models to all who have been seeking to tackle the barriers facing people with disabilities.

The Ontarians with Disabilities Act Committee is a voluntary, non-partisan coalition of over 100 disability community organizations and many individuals, both those who have a disability now and those who will have one later. We've come together to advocate for the enactment of a strong and effective Ontarians with Disabilities Act.

Our goal is a barrier-free province for all 1.6 million Ontarians with disabilities. We are organized in 23 regions of the province. We bear no allegiance to any

political party. We've offered, and continue to offer, to work with all and to work together to achieve our goals.

We have led the charge for this legislation since we formed in this building a few days over seven years ago. In coming together, we have brought the issue to the three political parties and solicited the now famous promise from Premier Harris on May 24, 1995, that the Ontarians with Disabilities Act would be enacted in the government's first term. Through consultation with our membership, we devised the 11 principles for the Ontarians with Disabilities Act that all your parties adopted unanimously three years ago, as have many city councils. Through further consultations, we developed a detailed blueprint for the Ontarians with Disabilities Act which we shared with the government and the opposition three and a half years ago and which we've been eager to see translated into legislation.

We view that our role is to provide positive proposals and to provide all parties with a road map that will get them, and all of us, to where we seek to arrive.

You will find from the government's 1998 consultations on the Ontarians with Disabilities Act that the disability community around the province, of their own accord, rallied around our blueprint and our 11 principles. You are hearing at these hearings voices from around the province who are rallying around the substance and the core focus of the amendments that we've placed before you in our brief.

Before I turn to the amendments that we wish to place before you, and the need for them, I need to speak only briefly about these hearings themselves. We've led the charge for public hearings and are delighted that there are public hearings, but in the name of those who cannot be here because of the way these hearings are being conducted, it is necessary that a barrier that has been created in this process be highlighted. The fact of the matter is that we advised the government months ago that people with disabilities cannot be asked to appear at hearings on one day's notice. Given the impediments to getting accessible public transit in this province, you just can't do it. In fact, and despite that advice, these hearings were scheduled, with people getting but days' notice that they were happening, where they were happening and, in some cases, only 24 hours' notice that they were invited to present. That is a barrier. That is a huge barrier. That is, forgive me, a cruel barrier.

Whatever be the outcome of these proceedings, this hearing process will leave an indelible stain on the face of this legislation. And I hasten to add that the barrier about which I'm speaking, which relates to the core of our democratic process, is a barrier which this bill, if enacted, would not require to be removed.

If I may turn to the substance of the legislation that is before the committee, I want to begin with what I believe to be common ground. From reading the speeches within the House, it is now undoubted and undisputed between the parties who are members of this Legislature that people with disabilities face far too many barriers—physical, technological, attitudinal and so on—in their daily

lives and that this is wrong; that it's bad for Ontario; that we need to remove them; that we need to prevent new ones; and that doing so is good for all Ontario, for people with disabilities, for business, for government, for the taxpayer, for everybody.

The only real question is, how do we do it? There is even then an agreement among all now, an agreement with our message as the ODA Committee, and that is the message that it must be done through strong and effective legislation. In turning and looking at this legislation, I ask the committee a question. If a law had been tried, if we'd tried through legislation, let's say for five years, and it wasn't good enough, do you think that would be time to fix it? Well, the government thinks so. They've proposed a five-year review. What about 10 or 20 years? Surely it's long overdue.

1610

The fact is that we've had the Charter of Rights and Freedoms and the Human Rights Code in this province, enforceably guaranteeing equality rights and human rights for people with disabilities, including provisions that address the kinds of barriers we suffered from, for 20 years. We don't need to wait any longer. We don't need to wait another five years to know that we need a law with more effective enforcement than we have now. We don't need to try a law that doesn't have effective enforcement, and just see if we'll learn something new that we haven't learned in 20 years.

Similarly, if you've tried a policy for six and a half years and it hasn't solved your problem, it hasn't made significant progress, I ask the committee, isn't that long enough? We've tried a policy in Ontario. The government tried a strategy of voluntary measures. The government tried a policy of "leading by example"—the government's words. The government tried a strategy of cleaning its own house first. We've tried it; it hasn't worked. We need something better.

For purposes of turning to the bill, it's important for me to emphasize why the amendments must be made now and not, as some committee members have posed in questions, some time later. We need to make those amendments now because we've already lost too much.

A child born on May 24, 1995, when Premier Harris wrote us with his pledge, is now school-age and has lost out on the opportunity of having accessible child care, probably in his or her own community, and having those opportunities improved by strong and effective legislation.

A person who was a teenager on May 24, 1995, has now lost out on the opportunity of having theatres and restaurants and coffee shops in their community become more accessible so they could enjoy the social life, the dating, the socializing that their peers have. Their teenage years are over. We can't give them back.

A person entering senior citizenship on May 24, 1995, if they're still with us now, their abilities have waned. The golden years of their life could have been blessed with more opportunity than we're giving them because of the delay in having this legislation happen.

We can't wait any longer. We need the amendments to make this law strong and effective.

I wish to turn to specific proposals for amendments. Given our 30 pages of amendments—only lawyers could write 30 pages and call it a brief—I'd like to focus on amendments that derive from one very important theme. Where we can show you that there are things that aren't in this bill that the government says should be there, surely you should amend it to put them there. In appendix 1F to our brief—copies available for members of the public present—we have documented a range of areas where the government, through the mouth of the citizenship minister or others, has stated that there are certain things in this bill which on our analysis are simply not there. We ask, above all else, that you amend the bill to put them there. We've offered you a focus on how to do that. Allow me to give some examples.

First, the government has stated that the purpose of this bill, indeed its core vision statement, is the achievement of a barrier-free Ontario. It has said that's the purpose of the bill. Unfortunately, that's not what the bill says. The bill merely says that the goal of the bill is to improve opportunities. Well, if you put three ramps down in three of the venues Carole Riback spoke about that she encountered in one day, you've improved opportunities. The bill's goal has been met. That's far too little. Amend the bill to make it have the purpose that Minister Jackson says is the government's objective.

Second, the minister has said that in this bill, people with disabilities, the disabled community, will be put in the driver's seat to drive change. Speaking personally for a moment, there is no one more eager than me to experience what it's like in that driver's seat. And I promise when I'm there, I will not park in a disabled parking spot, if I can read the sign. However, the fact of the matter is the bill does not, as the minister has urged it should or said it would, give people with disabilities input in setting standards; give people with disabilities a right of input in the making of regulations; require consultations with the disability community for establishing time frames.

Indeed, it does not ensure people with disabilities, either the community or the advisory council, the opportunity or the ensured entitlement to monitor implementation or have input to any of the barrier-free plans required under the legislation. It doesn't say that; the minister says he wants it to. We agree. Amend it. Put it in there. There's nothing to debate. It is the government's policy. Let's make sure the bill conforms with that policy.

The government says, and the minister has said in the House and in the media—you have the quotations and the citations before you—that in this bill organizations will be required not only to develop barrier-free plans—we prefer to call them that rather than accessibility plans—but also to implement them. Compliance will be required, and the government will enforce it.

Right now, the bill doesn't say that. We say it should. We say amend it so that the provisions for the barrier-free plans provide that not only do organizations,

ministries, municipalities and so on have to make the plan, they've got to make a comprehensive plan and they've got to implement it. We say either amend the bill to provide a mechanism for enforcement—and we've proposed one to the Ontario Human Rights Commission; not our first choice, but working within the framework of the bill, that's where we say we should go—or, alternatively, make it clear in the regulation-making provisions that there is the power to make regulations defining enforcement procedures.

If I could go back to the disability community having input, it's not enough to just say we can be asked. Folks, we've been asked on any number of issues. The point is, we may not have been asked enough, we may not have given enough time, but we need something more than being asked; we need a requirement that somebody listen. And at the very least, we propose provisions akin to those in the Securities Act for the Ontario Securities Commission—it's good for them; it's good for us—which require that when we make proposals, the government has to give an answer, and they don't necessarily have to agree, but at least give us an answer within certain timelines, and that if the government's going to put forward proposals, they be posted for an opportunity for us to have input, in writing or in person.

Because of the limitations of time, I'm not going to take you through all the different changes that are needed to bring the bill into compliance with the government's statements, but there is just a bit more that I think is worthy of comment.

The government has said that under this bill, no new barriers will be created with tax dollars. As I say those words, who could disagree with such a goal? Unfortunately, the bill doesn't say that. It talks about the government "having regard to" accessibility, "considering" accessibility; it doesn't say it "has to do" accessibility. We say amend the bill to comply with what Minister Jackson said in the House, with what undoubtedly would be beyond dispute, whatever we might otherwise have differing views on among people in this room.

Beyond the amendments that we have proposed that are tied to Mr Jackson's and the government's words, we propose a series of other amendments to make sure this bill has real force and effect. I can't list priorities, but I can give examples.

Number one, a lot of this bill has been delegated to the cabinet in the form of making regulations. A number of members of the committee from the government side have asked opponents to have faith, that even if you're not happy with the bill, you'll be happy with the regulations. Let me suggest, with respect, that after the six-and-a-half-year battle we've gone through to get a law passed now, or brought forward now, that was supposed to be passed in the first term of the government, at the very least you can understand why people with disabilities might be a little hesitant.

What's the solution? We've offered it: put time targets or time deadlines in the bill by which regulations have to be made. If the government is as committed as we are

told they are to get those regulations going, to hear from people with disabilities and to pass them to make this law happen and to make it work, put those timelines into the bill; make it the law that those timelines have to be met.

1620

Let me take just a minute to respond to some other themes that have come up at the hearings that I think we need to address. Stated briefly, people have been asked at these hearings whether this bill, unamended, is better than nothing at all. We say it is a tragedy to even ask that question. After six and a half years, after such broad recognition of the barriers we face, after 20 years of trying other strategies, surely we can do better than to debate whether something should be passed, ie, whether it's slightly better than nothing.

Two years ago, this House unanimously resolved that an Ontarians with Disabilities Act be passed that is strong and effective. Make the bill strong and effective. Let's not have to debate whether it's nothing or near nothing.

Similarly, we've heard it said that this bill, with its flaws, is the best there is in Canada. With respect, it's just not true. What's offered as new in this bill, what's proposed as leading edge, either exists in other provinces, in some cases, or existed in this province until the government abolished it—namely, the provincial advisory council, which the current government abolished three months after taking office—or is less than is provided in other jurisdictions such as the federal regulatory activity in the area of removal of barriers facing people with disabilities.

Let me conclude. Let me suggest that we have reached a critical crossroads here. You've heard extraordinary stories from people, here and in other cities, about the barriers they face that this bill will not address. Our coalition has been hearing those for six and a half or seven years. They tear at you. They hurt. People are hurting.

Here is a chance, in a spirit of non-partisanship, to take the message you've heard so unanimously from so many different voices and not debate whether it's a good first step, but simply debate whether it's a good step; not to debate whether this law does something more than nothing, but to be able to agree among all of us that it's strong and effective.

There is a cliché that justice is blind. It is said that justice is supposed to strive to experience blindness. We say that if justices had the opportunity to experience blindness, let's pass a strong and effective disabilities act so that blind people and indeed all people with disabilities have the same opportunity to experience justice.

The Chair: We have a minute per caucus, and I'll start with the official opposition.

Mr Parsons: The format of the hearings has proven to be very difficult, for a number of reasons, but I continue to get calls, as you had mentioned, about people unable to access within the time frame. But on the other hand, I have a sense that the ODA Committee has in a way been holding the public hearings for the last six and a half years, and what you brought to us today is not your

opinion as much as an opinion of I don't know how many individuals, how many groups. I personally find it tremendously beneficial.

I guess I don't have a question as much as an appreciation for—am I fair to say?—hundreds of people who have been involved over the last six years to bring this together. I don't mean it to be flippant, but the difficulty we're dealing with with the bill is a hearing problem. The government is not hearing what the persons with disabilities are saying. Well, thank you for coming and saying it.

Mr Martin: Thank you very much, Mr Lepofsky, for not only coming today but for the work that you've done over such a long period of time to keep our feet to the fire on this issue so that we could in fact be here today, however challenging being here today is.

I hear you loud and clear and admire your continual state of optimism and tenacity on this. You're convinced, I believe, by what you've said, that the government will by Tuesday do the right thing and actually enshrine what the minister has said in the House he wants to do with this bill. I don't think there's any doubt in anybody's mind around this table about what's called for if the bill is going to be effective. It has to have some method of enforcement, there have to be some timelines, it has to cover the private sector and there has to be some resources attached to it. Those are some of the key things that we've heard.

The question I have for you is, what if on Tuesday we find out that in fact this isn't a bill that we can all applaud and support and claim victory for? Do we then abort?

Mr Lepofsky: There are different opinions in the community on that. The most I can say is this: it is cruel to be given that choice. If somebody's in a car crash and is terribly ill, and they're found at roadside and they're told, "Sorry, we can't really treat you. Would you like Tylenol or would you like Advil?" that's not fair. It's a choice that people with disabilities in this province do not deserve.

I will only say this: the message I have been hearing from all over the province and that we have been hearing from all over the province from people who have been involved with this issue recently and for a long time is that this issue is not going away. It's not going to stop. It's not going to end. People know what they need, and they're going to keep working on it until they get there. All I can say is I'm one of them; so is the ODA Committee; so are my colleagues here; so are the people in this room; and so are people all around the province.

Mr Hardeman: I want to compliment you on all the hard work you've been doing in the time I've been here at Queen's Park. I suppose I know you almost as well as I do my colleagues. I see you here almost as often.

Mr Lepofsky: You treat me better, though.

Mr Hardeman: Because you're working on behalf of the cause of the ODA and the people you represent.

A couple of clarifications: on the "duty to comply," and the "have regard to," and the fact that the words "shall ensure that the design of buildings"—in the act

there is both; in fact, that the government shall ensure that these requirements are met if it's a building they own, or if a building they own is going to be extensively renovated. "Have regard to" is based on if they're going to lease space and, of course, they're talking to the landlord; they shall have regard to what is required.

I guess my concern is with making that mandatory too. I come from rural Ontario. If a facility is needed, and it's going to be leased, if the choice is not having the government service or having it done properly, I think the government should have regard to getting the best facility they can under the circumstances. I just wanted to point that out.

The other thing I'd just like to ask you, if I could, sir—if timelines in terms of implementing were in, as you suggested in your amendments, what type of timelines would you see as appropriate to work toward those goals?

Mr Lepofsky: Let me deal with the second part first. With respect to timelines, our brief proposes that two be put in the bill. Minister Jackson was asked on CBC Radio, three weeks ago, how long it would take, what timelines he saw. He said the Ontario government should be able to be in compliance in four or five years. Let's take him at that. We propose you put in this bill that, beyond anything else, the Ontario government must achieve this goal within five years. Put that in the act. The minister said it; we can live with it; let's do it. Similarly, we propose that this Legislature, which has been so full of barriers, and continues to be so, let's put in there five years for it. For the other timelines, we propose regulations be made to fix the timelines, but we propose a time frame within which those regulations have to be made. In other words, the government has said that the regulations could set timelines. We're not objecting to that, as long as we don't have to wait six years to find out when the timelines begin. Let's have a period of time fixed in the regulations—and you'll see them in our amendments—for when certain kinds of regulations can be made, including timelines.

Let me just answer very briefly, because I know our time's up. With respect to the question of "have regard to," and so on, first, let's be frank here. The provisions regarding buildings talk about new government buildings. How many new buildings is the government going to be buying or building in the next little while, given our financial situation? Renovations—maybe some more, but still, that's not the core piece. The core piece, in terms of the "no new barriers," is capital expenditures, purchasing goods and services, grants. Billions are spent per year, according to your colleagues who have spoken in the House on this bill. Just require no new barriers on those. You suggested that maybe there may be exceptional situations where you can't do it at all. So you could say, "There shall be no new barriers, except where there's compelling justification" or "except where a showing can be made of undue hardship," or something to that effect, instead of having this open-ended requirement, as it is in

the bill now, which is simply "have regard" which, frankly, guarantees us nothing.

The Chair: On behalf of the committee, thank you very much for your presentation this afternoon.

1630

MARCH OF DIMES

The Chair: Our next presentation this afternoon is from the March of Dimes. I would ask the presenter or presenters to please come forward and state your name for the record. On behalf of the committee, welcome.

Mr Duncan Read: Thank you, Mr Chairman. My name is Duncan Read, and for the record the spelling of that is r-e-a-d. On the schedule of listed guests I see the spelling that is more traditional to members of this House of r-i-e-d has been used, but it is r-e-a-d.

On my left is Mr Paul Raina, who is the manager of government and corporate relations for the Ontario March of Dimes.

Mr Chair, if it is permissible to you, rather than simply read the brief, which I understand has been distributed to you, I intend to talk very briefly to some of the sections that are in the brief to hopefully leave us, hopefully, some more time for questions.

The Chair: It's your call.

Mr Read: Thank you. Mr Chairman and members of the committee, I want to thank you for the opportunity to have the Ontario March of Dimes appear before you.

This is the 50th year of the Ontario March of Dimes, which for that half-century has been strongly working with persons with disabilities simply on the belief that, given the opportunity, all people who have disabilities can and will be active participants in society as barriers are removed from society to allow them to be effective members. We believe that governments have a responsibility to lead the fight to make the province barrier-free. Over those years we've had a track record of effective service and issue advocacy in over 100 communities across the province.

We believe that this legislation is a good first step. We see it as a good first step because it places everything that happens in Ontario under the disability lens. We believe this lens can most effectively be brought into focus through the proposed accessibility advisory councils at the local levels and the accessibility advisory council here at the provincial level.

Specifically, we have a number of concerns. The first of those is with relation to government building structures and premises. We simply believe that the guidelines should "ensure" rather than "promote." We recognize that legislative drafters might be able to come up with better language but we want something stronger than simply "promote."

We believe that the 1992 building code standards of accessibility are not good enough. We believe that in the Canadian Standards Association guidelines there are better and more effective standards, and some better ways of

referencing that into the legislation we believe would be appropriate.

We believe, in terms of government leases and services—this being section 7—that the standard of “undue hardship” used in the Human Rights Code definition is the higher standard and should be the one that should be applied. We believe it’s fairly easy to amend the legislation.

We believe that, yes, there should be proposed timelines for the removal and prevention of barriers. We believe significantly that the accessibility advisory committees at the municipal level should have a majority of members who are people with disabilities and we believe the act should specifically be amended to say that, because it helps.

We believe that the committee structure is one of the engines that will bring the disabled community into the effective movement to make Ontario fully barrier-free and we believe this legislation needs that in place to make it guarantee that at the municipal level the disabled community will have an effective voice as a part of that committee.

We believe that probably the most significant sections—and my friend Mr Raina will correct me if I miss anything as I go through this—relate to school boards being required to create an accessibility advisory committee. I know that in his former life Mr O’Toole was a school trustee and knows about some of these things. I can also testify from personal experience that had such committees been around when I was a child, my mother, in looking after a disabled child, would have been a very strong, active and effective member of such a committee. My disability is as old as the Ontario March of Dimes; I’m an old polio, for the record.

The most important part of this piece as far as we’re concerned—there are two last pieces—is section 19 of the act, which deals with the accessibility advisory council. We believe the phrase in section 19(4) that says, “At the direction of the Minister, the Council shall” do such-and-such, should be eliminated. We suggest language that simply says, “The council shall advise the minister.” If the council is going to be an effective operating body, it shouldn’t have to wait for the minister to tell it what it should look at. It should make some recommendations to advise the minister. We would like to see clause 19(4)(d) of the act amended to put in the words “in all economic sectors.” In other words, we would like to see this expanded to the entire economy over time.

We also believe quite strongly that the council should—and this may be a bit new and not acceptable to the government—advise the minister on all recommendations relating to disability in Ontario that he or she wishes to take to the Lieutenant Governor in Council before it goes to the Lieutenant Governor in Council, again to make sure everything goes through the disability lens.

We believe that there should be a legislated guarantee that the annual report that the council presents to the minister be tabled to the Legislature; that it cannot just be a body that advises the minister and is never heard from

again; that at least the operations of the council should be given whatever full scrutiny the Legislature will be able to give it, and through the Legislature the province.

Finally, we also believe that under section 22 there needs to be some certain initial regulations, which would disappear very quickly over time, that say the local committees should be required within, we suggest, eight months—there’s no magic in eight months, it could be six months, could be nine months—from the date of the proclamation of the act to be up and running and functional very quickly.

We also believe that, yes, the advisory committee should develop some guidelines in terms of private sector participation in the act, but that the act should spell out, perhaps, an intent that they have three years to develop those guidelines.

The last point is simply to refer—if I may, briefly—to section 27 of the act, which talks about amendments to the Legislative Assembly Act. We heard the last speaker who sat here before me talk about barriers in terms of this House and the governance proceedings and the difficulties of the disabled. I can tell you of a conversation that I had the first time I ventured in to sit in the public galleries upstairs. As the attendant—he was an attendant in those days, not a security officer—who was there helped me out of the gallery, he said, “You know, we have to fix those things soon. It’s not fair for the public who want to come into this building who are in the shape you’re in. It’s not fair. We have to do something to fix those things soon.” I note that the galleries haven’t been changed. That conversation took place in 1964 and there are a whole host of people who have not been able to access this building the way they should. Surely this building has got to be the most important building that the Ontario government operates. There need to be some fixed guidelines. We suggest in our recommendations that this building, at least, be made accessible to all of the population.

Those are our comments.

1640

The Chair: Thank you very much. We have two minutes per caucus and I’ll start with Mr Martin.

Mr Martin: Thank you very much for coming today and for such a thorough analysis of this piece of legislation.

Just a couple of questions: I’m interested in your comment that the councils should be to advise the minister as opposed to perhaps the other way around; I’m not sure. Why were you focusing on that so readily and why is that so important to you?

Mr Read: We believe that the council is the vehicle that is going to help make Ontario barrier-free. If the council works effectively, the disabled community will have a strong voice that will be able to say to the minister, “We have reached out and we have talked with the disabled community and these are the specific recommendations we think you should make in terms of regulations to implement what the legislation is supposed to be.” We see it as the fundamental way that progress is

going to be made in terms of attitude change, rather than the minister saying, "I want you to go off and study X or Y or what we can do to make Ontario barrier-free in this industry or that industry."

Mr Paul Raina: It may be more semantics, but it's to imply that the advisory council has some independence: that they're not simply sitting there waiting for the minister to give them direction on what they should go and think about; that they have the initiative to examine issues, to look at specific sectors or areas and come back to the minister, and ultimately the government, with a report on recommendations.

Mr O'Toole: Thank you very much, Duncan. It's a pleasure to see you again. I know how hard you work in advocating and educating people like myself and others in the community. I commend you for that and for your presentation here today.

I just want to pick up on a couple of points that you made. I do commend you. I think that the compliance factor is certainly—the language does vary throughout from "shall" to "will have regard." I think there are some words here in buildings and access where the word "shall" is strongly pronounced, but I'll leave that for the drafters. You being, I believe, a lawyer would probably know that those words have significant meaning.

With respect to accessibility, I just want to put on the record here that subsection 19(2) says, "A majority of the members of the council shall be persons with disabilities." Some have said, "Who's on there and what are they doing? What's their role?" I think that's absolutely appropriate and I support that. I think due diligence will see—it may become an issue because of how large the council is and the various variety of groups. In subsection (4) it says, "At the direction of the minister"—that's a word too—"the council shall advise the minister on"—and there are about five sections in that subsection. But it does empower them to report on such things as employment and access. So it's broadly defined. But more importantly, in subsection (5) it says, "The council shall give the minister an annual report on its activities and whatever other reports that the minister requests." So there is a defined profile at the table to report. If there's any way to strengthen that section, since you've pointed it out, would you respond in that respect as well?

I do just take note, in concluding, that this is not a new issue. You mentioned 1964. There have been lots of different governments. I appreciate the fact that it is a first step and a framework and we do want to get it right, at least that step. So maybe you could respond to section 19 or any other response.

Mr Read: It's always a pleasure to respond to you, sir. I don't know whether I can do it succinctly but I'll try.

There are two fundamental concerns. One is our specific request in terms of the advisory committee as being people with disabilities. We were wanting to make sure the legislation said that for the municipal committees as well. That was a specific concern. We didn't want the

council of Durham region saying, "Three people, one of whom is disabled," that kind of thing.

The fundamental concern with the advisory committees is that, yes, section 19—and Mr Raina may want to add very quickly to it—the way it's presently constituted, talks about the minister directing the council to do certain things. What we're also trying to say is that we think the council should be able to respond to certain things, and by removing that phrase, "at the direction of the minister," the council "shall" have the ability to respond.

The other part of the piece, very quickly, is that we believe it's important in terms of a statement of public trust that it be a statutory requirement that the annual report of the council be tabled in the Legislature so the disability community can at least have access to an annual report, that it won't be something that a minister may simply decide, for whatever reason, he or she can sit on and bury. Everybody knows that this province will have a new Premier after March—

The Chair: With that, I have to bring it to an end because I have to go to the official opposition.

Mr Read: I appreciate that.

Mr Smitherman: We're trying to forget about that thing till March, Duncan. Those guys start to fight among themselves.

I want to ask you a two-part question. The first is that I'd like to know how your organization can reconcile its acceptance of the "a good first step" language set against the resolution of this House and the presentation of David Lepofsky, who preceded you, and the words "strong and effective." I'm anxious to know the extent to which March of Dimes involves its 10,000 clients in this, because I've seen something quite startling through the time that I've been involved in these hearings, and that is there is a very big difference between those organizations which receive government funding, and often have administrative folks who are here to speak for them, and others who are disabled. I'm anxious to know about that from the perspective of the Ontario March of Dimes.

The second part is with respect to the disability lens that you refer to in your presentation, that it places everything that is in provincial and municipal jurisdiction under that lens. Could you speak to the extent to which you were, as someone who has confronted barriers for a long time, disappointed by the limitation that the private sector, which is a pretty significant part of everybody's daily lives, is in fact hardly addressed here at all?

Mr Read: I will try, because part of the question you're asking asks for really more of a personal response than an organizational response. Let me try and do it this way. I believe that this legislation is a positive first step. Yes, I have experienced barriers all over the place in terms of access to buildings, places like the chamber upstairs that I can no longer get into, airplanes I can't get on, jobs that I have not been hired for because I have sat down at the table for the interview and have actually in fact been hired for the job and, when we have got up from the table and moved away, have suddenly been told,

"Oops, sorry, that job was filled yesterday. I don't know where my head was. You can't have the job," when they see the way I walk. Fundamentally, this legislation is only a positive step toward changing some attitudes in terms of society.

Two very quick points and then I will let Mr Raina, if there's time, say something. For whatever it's worth, I personally, sir, would not be here—I'm a volunteer with the March of Dimes. I have no vested interest in protecting Dimes funding or anything like that. I believe this is a piece of legislation that can be built upon to improve things.

I guess I'll conclude it, sir, by reminding you very quickly that a long time ago—I suspect it was before you were born—there was a wonderful television program that I saw as a child in the time of the Cold War crisis between a couple of Liberals, a chap named Adlai Stevenson and a chap named Lester Pearson. It was a program called Close-Up on the CBC. As the program was ending, the announcer played a very dirty trick on them, the two of them I think, and said, "OK, one last question. A one-word answer: Better dead than red or better red than dead?" I've always admired Mr Pearson's answer when he said, "I would rather be red than dead, because I at least have a chance to make some changes." That's kind of the spirit that has me here. For what's it's worth, I personally would not be here if I thought we were doing it because we were beholden to any kind of concern because we were getting government funding. That's the philosophy, that's the spirit that brings me here.

The Chair: With that, I have to bring the discussion to an end, as we've run out of time. On behalf of the committee, thank you very much for your presentation this afternoon.

1650

CANADIAN AUTO WORKERS

The Chair: Our next presentation is from the Canadian Auto Workers. I would ask the presenter or presenters to please come forward and state your name for the record. On behalf of the committee, welcome.

Ms Peggy Nash: My name is Peggy Nash. I'm assistant to the national president of the Canadian Auto Workers. Raj Dhaliwal is the director of human rights for CAW; Karen McCulloch and Lisa Kelly are both with the CAW legal department. We appreciate the opportunity to appear before the committee today on this important bill.

The CAW is the largest union in the private sector in Canada and in Ontario, representing workers in 14 sectors, mainly auto assembly, auto parts, aerospace, electronics, rail, airlines, mining, retail and hospitality. We're in many sectors across the economy, most recently organizing over 17,000 health care workers.

We have been negotiating human rights and equity provisions in our collective agreements for a number of years and challenging discrimination in the workplace.

We have been awarded awards from the Ontario and federal governments for our efforts in bargaining equity programs that, around disabilities, include language in our collective agreements concerning return-to-work programs, training and accommodation for both work and non-work-related injuries and disabilities, adaptations for workers who are hearing impaired, and the ability to refuse work for harassment based on disability. This has been an issue that is important to our union, so we're pleased to appear before you today.

In our brief, we begin by looking at a definition of "disability" from the World Health Organisation that recognizes disability as an interaction between the individual and their environment. This definition recognizes that it's critical to acknowledge that our environments can create a disability as well as they can create access to an environment. So we believe that legislation should have two components: the first is promoting a deeper understanding of both the limitations and abilities of individuals with various disabilities, but secondly, that legislation needs to be proactive in order to create access. This can happen by changing our physical and social environments to create universal access.

We're also concerned about attitudinal barriers and the stereotyping of people with disabilities, that once these become embedded in our institutions, it helps create a disadvantage of social condition for people with disabilities. Therefore, we believe the Ontario disabilities act needs to be proactive in eradicating barriers to people with disabilities.

I guess our first concern is that while the preamble states that "every social and economic sector, every region, every government, every organization, institution" should be barrier-free, the act does not incorporate the private sector in any meaningful way. If we're looking for systemic change in all our institutions, then it should be universally accessible for people everywhere in the province. Therefore, it should include the private sector.

We don't have to spend time in our presentation looking at the status of people with disabilities, in the sense that I'm sure other organizations have spoken eloquently about the higher rates of unemployment and the higher levels of poverty for people with disabilities. Our concern is really that unless we address barriers in the private sector, we may be perpetuating a downward fall for people with disabilities toward the bottom of the economic sector.

The thrust of our brief really is in three areas: as I've mentioned, first of all, it should apply to all workplaces, including the private sector; secondly, it should contain proactive measures and measures that have enforceable standards with timelines; and thirdly, where workplaces are involved where workers are represented by unions, those unions and their members who have disabilities should be central to the consultation and implementation process.

According to Statistics Canada, about 80% of workers in Ontario are in the private sector. This means that in the

year 2000 almost four million Ontarians were working in the private sector. Our main concern is that by excluding the private sector from the ODA in any meaningful way, we may be sending a message to Ontarians with disabilities that the private sector is off limits to them, that they are not being encouraged to seek employment and that the job opportunities in the private sector will not be accommodating to their disability.

Right now, the only recourse they have is to take a complaint to the Human Rights Commission. As I'm sure you know, this is a very lengthy process. We only have to recall the Famous Players case, which took seven years to find a resolve, to know that's not the best way, to force people to make individual complaints to commissions.

We are also concerned that the ODA gives authority to the government to unilaterally exempt government ministries, the broader public sector, agencies or other organizations from Bill 125. This broad exemption doesn't have any accountability for the government when it's exercised. So we're very concerned about the impact of that rather sweeping exemption.

To back up the point about the Human Rights Commission and the difficulty for people with disabilities having to take their complaints to the Human Rights Commission, currently over 40% of complaints before the Ontario Human Rights Commission are on behalf of people with disabilities, and of those complaints, 70% were in the area of employment. So again, our concern is that we shouldn't be looking for complaint-driven remedies, but rather we should be proactive in our approach.

We also believe a proactive approach can actually spur innovation in industry, that there are benefits around accommodation not only for the people who gain accommodation because of innovation in design, but also in the jobs that are created through new industries in those measures of accommodation.

1700

We refer to section 508 of the Rehabilitation Act in the US, which is in the information technology sector and mandates all federal information technology environments to be accessible, both to employees with disabilities and the public at large. It also incorporates requirements to comply with procurement standards. This has spurred a number of advances in technology in order to comply with this legislation. Philosophies such as universal design and access have created innovation such as screen reader technology, which is now being sought after by both people with and without disabilities, and text-to-voice synthesizers to enable sensory- and voice-impaired individuals to talk with various programmed voices. These innovations are linked to this proactive law, section 508. We think that a proactive bill in Ontario linked to technological advances could create innovation and jobs in Ontario.

We believe strongly that having laws that are proactive, rather than complaint-based, takes us a big step forward from the existing Human Rights Code, the Charter of Rights and Freedoms and workers' compensation legislation. We've had those in place, as previous

presenters have said, for a number of years. We know what the flaws are in those bills in terms of delays and the fact that it is individual complaints. We believe it is time to have a proactive law.

Demographics are showing that as the baby boom population is aging, the number of people with disabilities is going to grow. The disabled community is one equity-seeking group of which we are all potential members. Surely we need to rely on our governments to be looking down the road and anticipating the changes needed to accommodate this growing population of people with disabilities.

We need clear and effective standards to mandate these changes. We believe that what is in the bill now is a potentially confusing and complicated range of standards and guidelines, and that we need to be much clearer in terms of the regulatory process. We need to be regulating not only how things are going to be changed, but also the content requirements of accessibility.

The CAW wants to play an active role in bringing an end to discrimination against people with disabilities. In the workplace we can do this by sitting down with employers to review employment systems, identify barriers and plan to remove barriers where they exist. The act should require joint accessibility committees comprised of the employer and the bargaining agent where people with disabilities in the workplace can participate in those committees, identifying barriers and planning for their removal.

Employers should be required to review their employment policies and practices along with the bargaining agent to determine if there are barriers to people with disabilities and to draft plans for eliminating those barriers. We also would like to see people with disabilities from the labour movement sitting on the Accessibility Advisory Council of Ontario as put forth in the bill.

In summary, we believe that work is central to people's lives and that people with disabilities too often don't get access to fulfill their full potential in the workplace. When they're denied those opportunities, we pay a large price as a total society. When people with disabilities face barriers to work, they have a substantially higher chance of living in poverty and facing greater barriers in their lives.

As our social programs are increasingly becoming fragmented and inadequate to meet the needs of all Ontarians, paid work becomes even more important. It is our collective responsibility to foster participation for the greatest number of individuals in every aspect of society.

The Chair: We have one minute per caucus. I'll start with the government side, and I mean one minute.

Mr Hardeman: Thank you very much for your presentation. When you started your presentation, you said that the CAW negotiates a lot of these issues in present labour contracts. How does that reconcile with suggesting that the act should require joint workplace accessibility committees? Do you already do that? When you negotiate the contract, do you include accessibility committees to help that workplace reduce the barriers?

Ms Nash: We don't have accessibility committees. What we have right now are things like placement committees for people who are disabled at work or outside of work and have a restriction of some kind and need to be placed with a particular restriction. We also have ergonomics committees and representatives to look at the design of the workplace and equipment. So in some senses, where we're able to bargain those structures, they do similar kinds of work.

Mr O'Toole: If I may, would you put seniority on the table—

The Chair: I have to go to the official opposition.

Mr Parsons: I had the pleasure of giving up one week of planned vacation to sit on a jury once. I realized as we went through the witnesses that I started to get a picture I never thought I'd be able to grasp as I put each once together. We are finishing our third day of hearings. If I could capture what I think I've heard from the majority, but not all—

Interjection: Fourth day.

Mr Parsons: Fourth day? Time's gone fast. If I could capture the four main suggestions from the presenters, they have been that this must be mandatory, that it must apply to the private sector, that there must be fixed timelines and that there must be funding. Does that essentially reflect what—

Ms Nash: I guess that on the last piece around funding, we would say being proactive in terms of not being a complaint-based structure, that it be proactive in looking at potential barriers rather than waiting for someone to complain about an accessibility problem.

Mr Parsons: And there would be funding to remove those barriers?

Ms Nash: Yes.

Mr Martin: You bring, I think, a unique perspective to this whole bill, because even though the private sector isn't covered, organized labour isn't even mentioned in the bill. We know from our experience of government when we did the Employment Equity Act that organized labour was absolutely essential to any real enforcement or proactivity or anything where this kind of very necessary movement is concerned. Why do you think they left the private sector out and why do you think you're not even mentioned in this bill?

Ms Nash: I can't speculate as to what was in the minds of the drafters, but in our experience, to make equity measures effective in a workplace that is organized, labour has to be part of the equation, because the working conditions are negotiated working conditions. Our fear about having the private sector left out is that it sends the wrong message to people with disabilities that these workplaces aren't for them. I think that's wrong, because that's the vast majority of workplaces in Ontario.

Mr O'Toole: On a point of order, Mr Chair: I'd like to raise a question, because it's a very important question. The CAW is a very important partner in creating jobs and job stability. I would put to you the issue of seniority and job placement. I would like a response in writing, either today or sometime in the future, on

whether that's one item they're prepared to negotiate about, finding appropriate job placement and ignoring the seniority provisions within their contract.

The Chair: I don't know if it's a point of order. I'll leave it to the presenters whether they want to respond later on.

Ms Nash: I'm happy to answer that question briefly, if you'd like to give me the time.

The Chair: OK, I'll give you a brief moment.

Mr O'Toole: Thank you for that indulgence.

Ms Nash: Certainly the easiest accommodation for the employer is just to breach seniority provisions and put someone wherever, because that means you're not looking at the design of the workplace, the jobs, the design of equipment. I'm not saying that in our union we'd never make changes to seniority, but that's why you have to have joint union-management committees to look at that. Our preference obviously is not to disadvantage one worker by placing another worker out of line of seniority.

The Chair: On behalf of the committee, thank you very much for your presentation this afternoon.

1710

ONTARIO COMMUNITY TRANSPORTATION ASSOCIATION

The Chair: Our next presentation is from the Ontario Community Transportation Association. I would ask the presenters to please come forward and state your names for the record. On behalf of the committee, welcome.

Mr Norman McLeod: My name is Norman McLeod and I'm the president of the Ontario Community Transportation Association. I have with me Béatrice Schmied, our executive director. I'm going to make a few opening remarks, and I'll be happy to help with the questions at the end, but I'm going to turn it over to Béatrice to speak to the details and on behalf of our membership in terms of this legislation.

My first comment is to tell you that our association is more than just a public transit association. Public transit is particularly interested in this legislation and in how this issue is handled because we've been working on this for a long time. But our association also includes the non-profit sector, the private sector, people who are struggling to move people around across rural Ontario and building partnerships. Our vision is of a process of building partnerships to provide service in the community so that no one will be unable to move from A to B for any reason—wherever life takes you, as our industry puts it. That is our mission and our vision.

One of the components, of course, and the largest component of our membership is the conventional transit sector. I manage a specialized transit service for people with disabilities specifically targeted at servicing them. I know what kind of strains are on our system. We work with the conventional transit side to try to make their service more accessible. Béatrice will speak to you of their concerns and their interests in this and tell you how committed we are to this process.

Ms Béatrice Schmied: Thank you for seeing us today. It's been a long day for you, so I'll keep it short. But first, a little bit about the life of a bus, just to bring you up to speed. In the United States, the expected lifespan of a bus is 12 years. Guess what? In Canada, it's 18 years, or a third more. And in some Ontario systems, buses are well, well into their 20s, sometimes even into their 30s. So we've got lots of old buses out there.

Fully accessible low-floor buses that could adapt to wheelchairs, scooters and all types of mobility devices came on to the market in Ontario in 1992. Buses dating from 1991, and even buses that were bought afterwards, since low-floors weren't readily available for a long time, technically still had that 18-year lifespan. So if we take into account even the very first system that bought the very first low-floor buses in Ontario, which happened to be Kitchener in 1992, even they will not be fully accessible until at least 2010 because of that lifespan issue and being able to purchase new vehicles.

To compound things, there was a delay in a lot of low-floor bus deliveries in the mid-1990s. For example, orders placed in 1996 weren't delivered until 1998. That delay is still occurring. Add to that, of course, the fact that, sorry, but the province did pull out of funding transit in the mid-1990s and the federal government never did participate in funding transit. So lots of communities were left scrambling to find money for vehicles.

Just to give you an idea of the cost of a standard 40-foot low-floor bus, you're talking over \$400,000. I just talked to Transit Windsor this morning and several that they bought have just come in. They got a good deal at \$425,000 apiece. That's before you get into articulated buses or even bigger vehicles.

Despite all that, I want to assure you that transit systems are really committed to accessibility and they're moving forward as quickly as they can. Low-floor bus purchases are now the norm. TDD phone lines, wheelchair-accessible shelters and fully accessible routes are now to be seen everywhere. Just four quick examples: Kitchener-Waterloo-Cambridge is now a mass transit system called Grand River Transit and 50% of their vehicles are low-floor vehicles, approximately a third of their routes are fully accessible and now they're just in the process of planning to integrate their conventional system with their specialized system, including training, which means that people who were limited to using a specialized system only and had to advance-book will now more easily be able to use the conventional system on the low-floor routes.

Hamilton Street Railway: over half their routes are fully accessible. On Sundays and holidays every route is accessible. In 2001, this year, over 20,000 trips were made on low-floor vehicles by persons using wheelchairs, walkers and scooters. These trips, by the way—and I think this is really neat—by people who normally use the DARTS specialized service, are offered on a voluntary fare payment. In other words, those people and an attendant can ride free of charge, and that's simply to encourage them to use the conventional service.

If we come a little closer to here, in Mississauga a third of the fleet is now low-floor. They just introduced five fully accessible routes on September 10. They've already done a survey and, interestingly enough, they found that most of their passengers who were using the specialized system before and are using conventional transit now are going to shopping malls and to the GO stations. There was always this myth that these people would be going primarily to hospitals and medical centres and so on. Well, guess what? They're like you and me and everyone else. They have normal lives. Mississauga Transit, by the way, and Peel TransHelp, the regional specialized service, have integrated their fares and their transfer points. They're really working well together.

Finally, our last example is one of our friends up north, Thunder Bay: 86% of their routes are fully accessible, and that's a fair-sized system—50 buses. Last year, 14,600 passengers using mobility devices were able to board the conventional service. You can imagine what their snow situation is like in the winter; still they managed with curb clearances and early snow removal to do that well. They plan by 2006, if their bus deliveries are on time, to be fully accessible. They'll be one of the first larger systems in the province to do so.

As far as our association, we're trying to do our part. Currently, we're working on a driver-training program to help drivers who serve customers with disabilities in the school bus, the motor coach, the public transit, the taxi and the non-profit volunteer sectors. In fact, we're going to be meeting with the Ministry of Citizenship tomorrow morning about that.

I guess we talked a little bit about our membership, but to just give you a better feel of who we really are, our main mandate is to encourage communities to bring conventional and specialized transit together with non-profit and private sector groups that offer transportation, either through brokerages or partnerships. Why have three vehicles from one corner of the city each bring one passenger down to another corner of the city when you can broker those vehicles, have one vehicle bring those three passengers and free up the other two vehicles to look after other people. Joe Brant hospital, Burlington Transit and the Canadian Red Cross in Burlington are an example of a group that has done exactly that. They broker their vehicles together; they freed up service that way.

We're the first province in Canada where community transportation has become a reality. We've got delegations from the Maritimes, the United States and, two weeks ago, from as far away as Japan coming to learn about our experiences. So we're here, we're on your side. I'm going to turn it over to Norm to close for us.

Mr McLeod: What I'm here to say is that our industry is looking forward to working with this legislation to move forward toward full access. We offer our services as an association to help make that happen, to consult with our members and to make it a realistic process. Under current fiscal realities, where most of the cost is

going to the local property base—and almost all of the cost of my system, the para-transit system, is still under the local property base—we recognize that we can't have too aggressive a pace here. If, of course, we had more partners around the table to pay more of the costs, we certainly could move forward faster. But this legislation allows us to pace it according to fiscal reality and move forward as quickly as we can to our own vision that nobody should be unable to move from A to B for any reason.

1720

The Chair: Thank you very much. We have approximately a minute and a half per caucus. I'll with the official opposition.

Mr Parsons: Very interesting. I've always struggled, in fact been offended, when a friend of mine had to come in through the kitchen to join me in a restaurant. I've also struggled with my own son having to ride a bus that toured half of the countryside to pick up three or four children when my daughter got on a bus and was at school in 10 minutes. Ironically, the most fragile are exposed to the longest and the most difficult ride.

I'm not sure buses are lasting longer now, but they're being made to last longer. The economics are dictating it. When I chaired a school board, buses used to leave after seven years. They now leave after 14.

I know lifts cost money, but I also know, as an engineer, that volume makes a profound difference. If you put a lift on every single bus, whether it be a city transit or whether it be a school bus, the cost would go down dramatically. And the lifts didn't tend to wear out; they tended to last two or three different buses. I'm interested in the concept of making every single bus have a lift, so the child or the person rides the bus with everybody else. Is that a realistic goal?

Mr McLeod: It's even more realistic to move toward a more radical solution really, low-floor technology, which is what we're doing now, where you don't need a lift because the whole bus is structured so that it's close enough to the ground so you just have to fold out a little ramp and people can get on in wheelchairs, buggies, whatever.

Mr Parsons: I've seen buses that kneel, but this is different.

Mr McLeod: This is different. When we talk about half of Hamilton Street Railway being accessible, we're talking about low-floor buses that are actually able to accommodate people of all disabilities. They are very expensive right now, but it's a little bit like conversion from a stick shift to standard. They're becoming the standard globally. So right now you're seeing a huge price increase. If anyone in the industry is going from high-floor to low-floor, they're almost doubling their budget for buses. That's what I'm telling you: that kind of commitment is there in our industry and they're moving that way.

Mr Martin: Thanks for coming today. Certainly the area that you specialize in is very central to any of the mobility challenges that are faced by people. At the end

of your presentation, you hit the nail on the head: it's a question of resources. Where do you get the resources?

As an aside, in Sault Ste Marie we bought some of those low-floor buses. Of course, when the winter came and it became 40 below zero, they didn't work. So we had a problem. We had to park them and bring out the old buses again.

There's lots of improvement needed, but you're right, the technology's there. We need to keep working on it. We need, though, all levels of government to be involved in investing in some of the newer technology and making sure that communities have access and that kind of thing. How much, realistically, can we do without a significant injection of money here from the senior levels of government?

Mr McLeod: We've seen our own membership move forward quite significantly, even though the provincial government dropped its subsidy for hardware. The difference is in the pace. When we talk about an 18-year or 24-year life cycle for a bus and so forth, that's a forced life cycle. That's not there because it's cost-effective to do it that way; that's there because we don't have the money to replace them. Obviously, if we could have a faster investment stream, we would replace those buses faster and we could have a more aggressive system. It's really just a matter of pacing it to the fiscal reality.

Mr Doug Galt (Northumberland): Just a couple of quick questions: one is that we think of transportation for the physically disabled and we've been criticized a few times for not recognizing some of the needs of the other disableds. I'm curious, on transportation, about some of the things that you would recognize that should be there.

Second, this turnover of the fleet—you said 18 years. I understand the average fleet is now 12 years of age in Ontario. Just listening this morning as I chaired the select committee on alternate fuel sources, I understand a bus is somewhere around \$500,000. If you went to some of these alternate fuels, you're up to \$1.2 million. You're saying, if it goes to the low-floor, it's double. If we manage both, to help the disabled overcome barriers and also get an environmentally clean bus, we have a pretty expensive unit. How long would this turnover take? The other is, what do we have to do to recognize the other disabilities?

Mr McLeod: When we first looked at this 10 years ago and started to lay out our plans as an industry, we were estimating it would be 18 years before the average fleet would be 100% accessible. That's actually slowed down because of the delays in the delivery of buses and because of the drop in funding. It has taken a while for us to recover our purchasing pace.

In answer to your first question, I'm particularly interested in that as the manager of a specialized transit service that is very clearly targeted to people with physical disabilities. We deal all the time with the issue of the people who really need supervised transportation, the people who don't qualify for our service but who shouldn't be going out by themselves. That's where the biggest issue is, in my view, in terms of non-physical

disabilities. What is needed is a program of travelling attendants and escorts to enable people with cognitive disabilities or frail elderly blind people or whatever to travel freely on any mode of transportation. That's what's needed in that sector.

The Chair: On behalf of the committee, thank you very much for your presentation this afternoon.

KATHRYN BREMNER

The Chair: Our next presentation is from Kathryn Bremner, if you could come forward and state your name for the record. On behalf of the committee, welcome. You have 15 minutes for your presentation this afternoon.

Mrs Kathryn Bremner: Thank you. I'm struggling with my voice a bit, so I'll do my best.

Thank you for the opportunity to speak to you today. Basically, I'm here as a mother of a 16-year-old son who has cerebral palsy and uses a wheelchair for his mobility.

I'd like to start out by telling you that in my mind there are no individuals with disabilities but rather families with disabilities. Mothers and fathers, brothers and sisters of an individual with a disability are disabled families first and foremost.

As a family, my husband and I, as well as Scott's 24-year-old brother Jeff, have all been dramatically affected by Scott's disability and have witnessed and experienced at first hand the barriers that exist in our society that exclude young people like Scott from leading the kind of life that other teenagers and other able-bodied people take for granted.

At 16, Scott has dreams of dating, going to the mall, participating in sports and going to concerts. He plans for post-secondary education and subsequent employment. He has worked so hard to maintain an average of over 80% in his first two years of high school despite the fact that many challenges have been placed in his way. One of the greatest is his own learning disability, which is the result of the trauma to the brain. In the past, he has changed elementary schools three times because of accessibility issues, and two years ago, when it was time to go to high school, an event that most teenagers celebrate, he was unable to go with any of his peer group because the neighbourhood high school was not accessible. The school that was recommended to us as being accessible in the end really was not terribly accessible because Scott would have had to have used a key entry in three different spots in a freight elevator. He would have been travelling in a freight elevator that had no alarm system or any means of communicating with anyone else, so the school decided that perhaps carrying a walkie-talkie would be the way to go. There was no door that would let him into the school or out of the school, and there were no accessible science labs.

Digging in my heels, I said, "No, this is the school Scott will be going to." We were able to resolve a lot of the problems. So he is thriving in this school because of his own hard work and my constant monitoring of the

school that, no thanks to Janet Ecker and the intensive support amount funding formula, is providing the best they can for him, and this despite the fact that the ISA funding formula limits Scott to 0.5 of an educational assistant each day. What this means, according to their formula, is that Scott is physically disabled for only 50% of each day. Try explaining that to him, or to me.

When I realized that the government was now going to keep a promise, made when Scott was only 10 years old, to enact strong, decisive legislation, I was excited and I was hopeful. Finally, I thought, real progress will be made. The government finally gets it, I thought. In an e-mail to Cam Jackson and Jim Flaherty, who is my MPP, the evening before first reading, I told them that the question that I would ask myself which would be my measure of how well this legislation works is, what does it do to improve the life of my son? Upon reading the proposed bill, the only answer I could come up with is that it does absolutely nothing. Forget the fact that five years from now we can go back and revisit and reassess this bill. Scott will be almost 22 years old by then and will have missed out on many opportunities that he shouldn't have to.

1730

Bill 125 does not require that a single barrier be removed. Imagine for a moment that the chairs you are sitting in right now are wheelchairs and you can't get up out of them and you have to spend a day in a wheelchair. You are stuck in that chair. How are you going to get in and out of this room, out of this building, into an accessible washroom, the cafeterias or even into the Legislative Assembly? In order to get into this building, you will have to enter through the basement like some kind of second-class citizen, and if you wish to be part of the public gallery and there happen to be four others in wheelchairs ahead of you, you're out of luck. What if one of you develops multiple sclerosis or has a brain injury or is in a car accident? How will you retain your jobs as MPPs? How will you get to work if you are unable to drive? How will you live? Where will you live? How will you shop, do your banking and enjoy fine dining?

Bill 125 does not require that a single barrier be removed. Let me tell you about some of the barriers we face with Scott as a family so you can get an accurate snapshot of the reality of our situation and his.

In Durham region, where I live, Handi-Transit basically serves an aging population who rely on it to attend doctors' appointments. This means that there is little opportunity for kids to be spontaneous if they want to plan an outing, for instance, to the Oshawa Centre or to the theatre. He would have to rely on his parents to give him a ride, because Handi-Trans shuts down at 5 o'clock in the evening and doesn't operate on weekends. He has often asked me, "I'm 16. What if I find a girlfriend and she wants to go to the show. Does that mean you're going to have to go with us? How will I get there?"

Bill 125 does not require that these barriers be removed. I cannot begin to describe the number of times my family has tried to go out for dinner only to find that

Scott's wheelchair will not fit under the table, resulting in his having to sit a foot away from the table or sit on an angle so that he is unable to be comfortable or avoid dropping food in his lap. It is embarrassing to him and it is embarrassing to me as his mother. And what about the restaurants you can get into, but the washrooms are down a flight of stairs and there is no elevator? And they call themselves accessible.

Bill 125 does not require that these barriers be removed. Let me tell you what it is like to try to plan a vacation in the province of Ontario when you have a child in a wheelchair. Do you know how many hotels believe that being accessible means providing a room on the main floor? Others, thinking they are much more advanced, will boast that they do indeed have a wheelchair-accessible room, but nine times out of 10 there is only one bed in it. If you can get into the room through a wide enough doorway, you likely can't get into the washroom and there likely will not be enough space for a wheelchair to turn around in. Bill 125 does not require that these barriers be removed.

About four years ago, I booked a so-called accessible hotel room for a speaker from Oregon who was flying in to present at a workshop I was organizing. It was his first trip to Ontario and he was quite excited. Dean is a quadriplegic and he uses an electric wheelchair and travels with an attendant. I quickly discovered how different we are from the United States, who have had the ADA in effect for the past 11 years. At the time in the city of Toronto, there were only two accessible vans as part of a taxi service. When I booked it to pick him up at the airport, they didn't even show up. When we finally did get him out to Scarborough to the hotel that claimed to be accessible, the doorway to the room was, and there was an elevator, but he couldn't get his power wheelchair into the bathroom. Needless to say, I was very frustrated and embarrassed.

Bill 125 does not require that these barriers be removed. Families like mine are consumers of services from organizations which were established to provide programs and services for young people like Scott, such as the Easter Seal Society. Part of their mandate is to advocate on behalf of families like mine with special-needs children. I know this because I was an Easter Seals parent delegate for 13 years and I spent a lot of time talking to families and hearing their stories.

They continue to disappoint families like mine, because they fail to advocate adequately. How can you not involve the private sector in this legislation? Families of children with disabilities have money to spend. My own son has money to spend. Our lives are as closely tied to the private sector as they are to the public sector. Scott eats in restaurants, goes to the mall, the dentist, the doctors, the theatre, sporting events and other businesses you and your families access.

Scott wants to go to university and he has the marks to do it. However, he cannot plan for his future, based on the fact that not all universities and colleges are adequately accessible to him. He has to choose the school

based on accessibility and support systems, rather than programming. He's smart enough to know his life is going to be one challenge after another and I think this is unfair. He should be enjoying these years, not despairing about his future. As parents, we are unable to securely plan for his future, because there are so many unknowns and so many barriers. Things that you take for granted with your children are impossible to take for granted with Scott. Transportation issues, housing, physical accessibility, attendant care availability, support systems at school, recreational opportunities and universal, accessible health care are all major concerns for our family.

Scott is on the honour role and is a member of the student council. He was a youth shadow cabinet member for the 2008 Toronto Olympic bid, representing youth with disabilities. He has spoken at Toronto city hall, Variety Village and the region of Durham council and has been interviewed on television and in the media many times. He is a composed and articulate public speaker and would make a fabulous politician, but how would that be possible, given the barriers that exist in the province of Ontario today?

Bill 125 does not require that barriers impeding my son's life be removed. You must do better. You can do better. As Scott's mother, I have been totally involved in advocating for his needs for the past 16 years, whether lobbying for increased funding for our local children's treatment centre, starting a sledge hockey league in Durham region, serving as president of Parents in Action for Challenged Kids and also as a five-year SCC chair and alternative SEAC representative for the Durham public board. I have been the region of Durham representative for the ODA Committee for the past several years. I am involved, informed and educated and I know what I'm talking about.

Please help me to help my son. He and other young people with disabilities deserve the very best that we can do. Scott should have the same opportunities as his older brother, Jeff, who has recently completed five years of post-secondary education. Help Scott to become the contributing member of society that he wishes to be. Help him experience the kind of life that he can only dream about.

Please do the right thing and provide legislation that is effective and enforceable and includes both the public and private sectors. There must be timelines, funding and consequences to drive it home and make it meaningful. Incidentally, I do not believe that Rome was built in a day, nor do I believe that accessibility can be achieved overnight. We must have the necessary guidelines in place to achieve success and input from the end users who understand these issues so well.

I am asking you this on behalf of Scott and thousands of other young people like him and their families. Access to all the province of Ontario has to offer is a basic human right. Thank you.

The Chair: Thank you very much. We have time for about a minute per caucus. Mr Martin, I'll start with you.

Mr Martin: It's always so meaningful when one can make it real. We're at a bit of a crossroads here. Tuesday we'll find out if the government is serious about making this bill work. We've heard from people like you and others who say that as it stands now, it doesn't; it won't make any difference whatsoever in the lives of the people you care about.

Carole Riback was here this morning; she sat with you and Mr Lepofsky this afternoon. She had, I thought, a slightly different view than Mr Lepofsky of what we do on Tuesday if we don't get any amendments or the amendments that we think are necessary to give this thing some teeth.

I guess the question from me to you is, what would your recommendation to us be if on Tuesday we don't see the amendments that we need in this bill and it looks like all the government's going to do is say, "OK, we'll work with this," and then wave it around—and this is the cynical side of me—and perhaps come an election, say, "Well, we did introduce an ODA. What's everybody complaining about here?" What do we do?

Mrs Bremner: I think it's rather an unfair question to ask. I don't even think the question should ever have had to be asked. We've spent so many years working toward something that we felt was going to be a good piece of legislation and now, to think that it could be so insignificant and that we could have spent all of that time, thousands of people around the province who have disabilities—that's mind-boggling to me. I don't know if I have an answer for you. All I can tell you is that it doesn't help my son. We need something stronger. I know it probably will pass because the government has a majority, and that's really too bad. Why can't the government just do the right thing? It shouldn't be about politics. It should just be doing it because it's the right thing to do, because we are all equal. That's all I can say about that. I want my son to have the same opportunity as everybody else has.

1740

Mr O'Toole: Thank you very much, Kathryn, and thank you for your presentation and for your work over the last number of years advocating. I think you should take some pride and solace in that, and I don't mean that in any patronizing way. I'm quite sincere when I say it. Most importantly, when I read your e-mail to the minister stating that Scott has an A average—your involvement and your modelling for him is probably the best sort of example to the rest of us. I'm quite supportive of many of the points you've made. I know it's difficult; the unfair question has been asked several times, a "this or nothing" sort of question. That's not a fair question, really.

But I guess my thing is if you have some specific summary, what would be your best advice for implementation, a signal beyond the legislative framework for the government to manifest that its intentions are quite true to moving forward? There will be a discussion on the directorate, who sits on the advisory, what group are represented, the whole minutiae. It could take three years to find this. Do you understand what I'm saying? What

would be the best advice that you could give us to signal a real willingness to move forward, giving some legitimacy beyond the words in the bill, to the advisory capacity to the ministry?

Mrs Bremner: We can advise all we want and you can listen to our advice all you want, but until there's something in the legislation that specifically says it has to be enforceable, "These things have to happen or there will be consequences"—that's what it takes, because compliance isn't working. If compliance was working in the private sector, I wouldn't have any problems getting Scott into a restaurant or under a table or all the other kinds of situations you can imagine. There's nothing in the legislation—

Mr O'Toole: What would be realistic—

The Chair: Mr O'Toole, I can't go for another question. I have to let the presenter finish her answer. Have you done with the answer?

Mrs Bremner: Basically, yes. I think there needs to be something in the legislation that is meaningful, that makes the legislation enforceable.

The Chair: Now I have to go to the official opposition.

Mr Parsons: I can't imagine how frustrating you find this, because I find it incredibly frustrating. Democracy is relatively fragile and I struggle with a group of citizens having to fight the government to get their rights. In this province, in most municipalities, people who are blind cannot vote themselves; someone has to vote for them. That's a fundamental cornerstone of our democracy. Someone else has to vote for them. What you've asked for and what every other presenter has asked for is not special treatment; you've asked for the same treatment as everyone else. I'm going to suggest that if you'd had more time your answer might have been a good signal to the government on where they should go with this bill: if it was mandatory, applied to the private sector, was enforceable and there was funding to make it happen. That would probably be the best signal to persons with disabilities that there's going to be a meaningful act.

Mrs Bremner: That's right.

The Chair: On behalf of the committee, thank you very much for your presentation this afternoon.

Mr Martin: On a point of information for people's interest: yesterday, I believe it was, there was some information tabled with the committee, research that was done by the our legislative research people, on what legislation exists in other jurisdictions in North America and in other places. That's available. This morning there was tabled a summary of recommendations so far to the committee. I believe there are copies of it on the table over there. People should know that it's there and it's available to them if they want it.

CANADIAN COUNCIL OF THE BLIND, ONTARIO DIVISION

The Chair: Our next presentation is from the Canadian Council of the Blind, Ontario division. I would ask

the presenter to please come forward and if you could state your name for the record. On behalf of the committee, welcome.

Mr Gerald Stephenson: Thank you very much. My name is Gerald Stephenson. I'm the Ontario president of the Canadian Council of the Blind.

Thank you to the Chair and to the committee for this opportunity of addressing the matter of Bill 125, the proposed Ontarians with Disabilities Act. In submitting this presentation, as citizens, we place a high value on the principles of democracy. As citizens, we are concerned with what substance and weight the government will ascribe to our input and that of our colleagues and peers.

First, may I take this opportunity to thank the standing committee on finance and economic affairs for contacting me and giving the Canadian Council of the Blind, Ontario division, an opportunity to make a presentation to this public hearing this afternoon.

A lack of sight is not a lack of vision. Founded in 1944, the Canadian Council of the Blind, CCB, through its motto of "Faith, Service and Fellowship," has undertaken the ambitious objective to encourage, build and restore self-confidence, self-reliance and dignity to thousands whose daily activities have been disrupted by blindness and both severe vision and hearing impairment. More than half a century later, the CCB, through its numerous affiliates and local community-based clubs within nine provincial divisions, services every region of the country. As well as providing social and recreational activities at the local level, the CCB is Canada's national consumer organization, representing the needs and concerns of people who are visually challenged.

The council is recognized as Canada's voice of the organized blind. The CCB strives to promote the quality of life in all aspects of Canada's blind community, the prevention of blindness and conservation of sight. We are active in 23 communities in Ontario. Monthly meetings serve as a forum for information, education and support to newly blinded or vision-impaired individuals as they adjust to the challenges of their disability.

Clubs have a wide variety of social activities, such as bowling, curling, cribbage and other activities. The CCB lobbies both government and businesses to promote the interests of Canadians who are blind and vision-impaired.

Constantly on the move, the council strives for improvements in areas such as transportation, technical devices and accessibility. Through advocating concerns from the need for profitable employment to access to information, the CCB works to address issues which impact on the lifestyle of all blind and vision-impaired Canadians.

In the area of advocacy, we have been influential in improving tax reform, education policies, employment equity, social assistance programs, currency redesign and improved accessibility in the transportation industry. We are proud of the following accomplishments:

(1) Development of a national White Cane Week to promote awareness of who we are;

(2) Advocacy for the distribution of government documents in large print, Braille, audiocassette and computer disk;

(3) Contributions to the establishment of the first-ever national broadcast reading service for blind people—VoicePrint;

(4) Promotion of strategic placement for standardization throughout the country of audible traffic signals to assist people who are blind and vision-impaired in crossing busy intersections.

1750

The hearings, although they are public hearings, are in areas where many persons with disabilities cannot get to to make their presentations. The time limit is woefully short. For instance, I was notified Monday at 4:25 that I could make a presentation on Tuesday at 20 minutes to 6 if I let the steering committee know by 4:30. I didn't pick the message up until it was too late. However, I was given another opportunity yesterday to be here this afternoon/evening to make a presentation, and I am grateful. However, it meant making arrangements for transportation on short notice to be here. I was lucky, but there are many others who cannot be represented because they weren't given enough time.

It is not unreasonable to suggest that the largest proportion of Canadians who are blind, deaf-blind and partially sighted reside in Ontario. For this reason, we are here. Today, Ontario is under the lens of our sister provinces with all disabled Canadians. Unfortunately, Bill 125 in its current form falls significantly short of effecting full inclusion of Ontarians with disabilities.

Society has failed to provide all citizens with equal access or participation to the maximum extent. To many in the disabled community, their families and their friends, there is a question of what agenda is driving government. Is it economic or democratic?

Access to information is vital to all of us, but to the blind, deaf-blind and vision-impaired it is woefully lacking. Yes, we have a national reading service, but it is not accessible to everyone. Yes, we have an ADP program which provides equipment at limited cost to the individual, a great program as far as it goes. With technology changing so quickly, by the time we qualify for updates in our systems they are obsolete and we have to buy completely new systems, which costs the government even more money. It seems to me that it would make more sense to allow upgrades to existing equipment before five years is up. As far as the training goes, 10 hours is nowhere near enough, especially when part of those 10 hours is the setting up of the equipment. These are difficulties which all disabled persons face regardless of what their disability might be.

There is also the area of transportation. There are handicapped stickers for those persons who have a disability which permit free parking in designated areas, but each city has different regulations. We need standard regulations across the board so that the \$5,000 fine proposed in Bill 125 for parking illegally in a designated handicapped parking area will have more clout. We need

regulations on planes and trains that effectively help all people with disabilities to travel in comfort and safety.

We need to be a part of society without being forced to stick out because we are noticeably different, whatever that difference might be. We need a set standard for audible pedestrian signals that is the same across the province, and we need to have those signals in as many places as possible to allow us, whether using a cane or a dog, to travel freely and safely.

We need access to information in whatever format we choose, be it tape, large print, Braille or diskette. How much Braille do we have here for handouts this afternoon?

The proposed Bill 125 was only available to me because I have a computer with voice and because the ODA Committee and its chairman, Dave Lepofsky, made it available to those of us who have e-mail and are fortunate enough to have access to this equipment. But there are many, including myself, who would have preferred to have a Braille copy of the proposed bill, but it isn't readily available. So we have to rely on our memory or going over it sentence by sentence and copying it so we can access it, which of course takes time, time we don't have enough of, to make our presentations.

Also, the cost of receiving material in Braille should be such that the Braille be the same price as print, especially after the master copy has been prepared. There are many periodicals, books and other information not available in Braille because of the astronomical cost to produce it, even with our great technological advances.

Does the proposed act fulfill the commitment to the national disability agenda? Certainly the framework is there. In our view, it is a shell of what it truly needs to be. Given the time and resources, we could offer historical evidence illustrating a proactive as opposed to a passive commitment. It has always effected positive societal change. Accepting Bill 125 as the foundation, the proposed legislation needs to be amended to strengthen the responsibilities, role and authority of the provincial council and, to a lesser degree, municipal advisory committees as vehicles through which those collective obligations can be fulfilled.

The CCB, along with the NFBAE, endorse in principle the amendments put forward by the ODA Committee, in particular as they pertain to the development of regulations, standards, clarifications and additions as defined in the submission of the ODA Committee in all respects save two.

Timelines in section 19: in the matter of the barrier-free council and the directorate, we concur that these bodies should be established within six months of enactment of the legislation. In the matter of the development of regulations, standards and timelines, they should be established no later than 18 months from the enactment of the legislation, or, if you will, no later than one year from the formation of the council and the directorate.

In the matter of provision of goods and services and how sections 5, 6, 7 and/or any other section may be interrelated or independent, and not knowing relevant

provincial regulations with regard to procurement policies, we would propose that the following be included: "In any procurement or service provision process, bids from other government departments, municipal entities and any organization subsidized by any level of government or holding any type of tax-exempt status should not be accepted." These public organizations should not compete with the private sector unless a specific policy to the contrary exists.

When the private sector is not able or willing to undertake the work, in section 19 we propose the inclusion of the following under subsection (2):

"Members

"(d) Any person or persons directly or indirectly an employee of the Ontario government, as defined in amended section 8, or organization or organizations, person or persons directly associated with the said organization that received grants, subsidies or contracts are ineligible for formal membership on the council, the exemption being the Trillium Foundation. Said persons or organizations may serve, provided the council is comprised of a two-thirds majority of members from representative consumer organizations. By invitation of the minister, representation from consumer organizations shall be determined by the organizations."

We have a recommendation for a 2(c): "A quorum of the council is constituted when the majority present are members with disabilities."

Under purpose of the council, we concur with the amendments put forward by the ODA Committee.

"Remuneration and expenses": we should delete the word "may" and insert the word "shall."

The Vice-Chair (Mr Doug Galt): If I may, Mr Stephenson, the bells are ringing in the House. We're obliged as members to go and vote. You have four minutes left in your presentation. We'll come back after the vote.

Mr Stephenson: OK.

The Vice-Chair: I'm sorry. We're not being impolite. It's rather a command performance that we go for the vote and we have three minutes and 12 seconds to get up there. The committee will stand recessed and we'll be back for the remaining four minutes of your presentation. My apologies.

Mr Stephenson: No problem.

The committee recessed from 1802 to 1814.

The Vice-Chair: We will now reconvene the standing committee on finance and economic affairs. Again our apologies, but for all parties it was indeed a command performance. Mr Stephenson, there's a full four minutes left for your presentation, so go ahead.

Mr Stephenson: Thank you very much. Remuneration and expenses: should delete "may" and insert the word "shall" so that it now reads, "The minister shall pay the members of the council the remuneration and the reimbursement for expenses that the Lieutenant Governor in Council determines."

We concur with proposed amendments of the ODA Committee number 4 and number 3.1 under this section.

Finally, we concur with the proposed amendments of the ODA Committee under the heading of "Resources." Quite candidly, the process of the development and fruition of this bill has been flawed. Why? Because there have been woefully inadequate consultations or any kind of forums with the disabled community, in its formulation, with the government. The fact that these hearings are being fast-tracked and are of limited time and scope denies the disabled community an opportunity to carefully assess the merits and implications of the existing Bill 125. Worse, it denies the disabled community the necessary time to either formulate and/or assess the implications of any amendments that may be put forward from any sector.

Ontario has always prided itself in being in the forefront as leader. You have before you an opportunity to once again show that leadership by bringing forth a strong Ontarians with Disabilities Act that would be the benchmark for our sister provinces. However, you can't do it alone and you can't do it by excluding the disabled community. We plead with you to set up an assembly of disabled persons from across Ontario, including all disabilities, to meet with you so that a consensus can be arrived at. This should be done before third reading of the bill.

You've made a start. Let's see it grow in strength. Let's work together toward an ODA that would make us all proud, not only as Ontarians but as individuals, knowing that we worked as a team to fulfill a dream that perhaps is close to becoming reality.

The Vice-Chair: Thank you very much. There is about a minute left. If each caucus is very careful, we'll give them 30 seconds each for a comment or a quick question. We'll start with the government side.

Mr Spina: Thank you, sir. We appreciate the time you took to come, especially with the short notice you indicated. You indicated some very specific time frames for implementation that you thought should be amendments to the bill. If you would take just half a second to reiterate those, I think we would appreciate that.

Mr Stephenson: Six months and 18 months or 12 months?

Mr Spina: Yes, those were the dates. I'm just trying to remember what they were for. I apologize. Well, it's in the record anyway, so we'll follow up with that.

The Vice-Chair: I believe it was six months to have the committee in place and 18 months to have the regulations in place.

Mr Stephenson: That's correct.

The Vice-Chair: I'm impressed. I was listening and I remembered.

Mr Parsons: Realizing that time is tight, you have given us a number of amendments to consider next week. Just to clarify—I believe you said it but I need to ask again—are you essentially endorsing the suggested amendments of the Ontarians with Disabilities Act Committee?

Mr Stephenson: Yes.

Mr Martin: I really appreciated all of your comments, but particularly the reiterating of the concern that we're rushing this through and that you didn't have the time to come forward. We had a wonderfully delightful presentation by a blind-deaf woman in Ottawa named Penny LeClair, who didn't have time to prepare but came and told us very clearly that we needed to take more time so that people like her could be heard and have an opportunity to have input.

The last comment: I was in my office a few years' back when we were in government and we were looking at the whole question of the rights of gay people in our communities. I'd had a discussion with someone, and at the end of the discussion, when we couldn't agree, his final comment was, "We can't afford to give everybody their human rights." Sometimes I think that's the attitude that exists out there. This is a chance for us to show that in fact we can and should and have to. I'm hoping the government will come forward on Tuesday and indicate that and table some amendments that will make us all able to celebrate that we have something that will actually do what the preamble sets out.

The Vice-Chair: Thank you, Mr Stephenson, for coming forward. We appreciate your thoughtful presentation. In spite of the short time, it was an excellent presentation.

The committee now stands adjourned until tomorrow at 10:30 in Thunder Bay.

The committee adjourned at 1821.

STANDING COMMITTEE ON FINANCE AND ECONOMIC AFFAIRS

Chair / Président

Mr Marcel Beaubien (Lambton-Kent-Middlesex PC)

Vice-Chair / Vice-Président

Mr Doug Galt (Northumberland PC)

Mr Marcel Beaubien (Lambton-Kent-Middlesex PC)
Mr David Christopherson (Hamilton West / -Ouest ND)
Mr Doug Galt (Northumberland PC)
Mr Ernie Hardeman (Oxford PC)
Mr Monte Kwinter (York Centre / -Centre L)
Mr John O'Toole (Durham PC)
Mr Gerry Phillips (Scarborough-Agincourt L)
Mr Joseph Spina (Brampton Centre / -Centre PC)

Substitutions / Membres remplaçants

Mr Carl DeFaria (Mississauga East / -Est PC)
Mr Tony Martin (Sault Ste Marie ND)
Mr Ernie Parsons (Prince Edward-Hastings L)
Mr George Smitherman (Toronto Centre-Rosedale / Toronto-Centre-Rosedale L)

Also taking part / Autres participants et participantes

Mr Peter Kormos (Niagara Centre / -Centre ND)

Clerk / Greffière

Ms Susan Sourial

Staff / Personnel

Mr David Rampersad and Ms Elaine Campbell, research officers,
Research and Information Services

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